

Final Environmental Impact Statement and Section 4(f) Evaluation

US 2, Havre to Fort Belknap

September 2004

PLH-TCSP 1-6(44)384 CN 4951

Volume 2 of 2: Appendices and Section 4(f) Evaluation













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Volume 2 of 2: Appendices and Section 4(f) Evaluation





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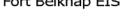


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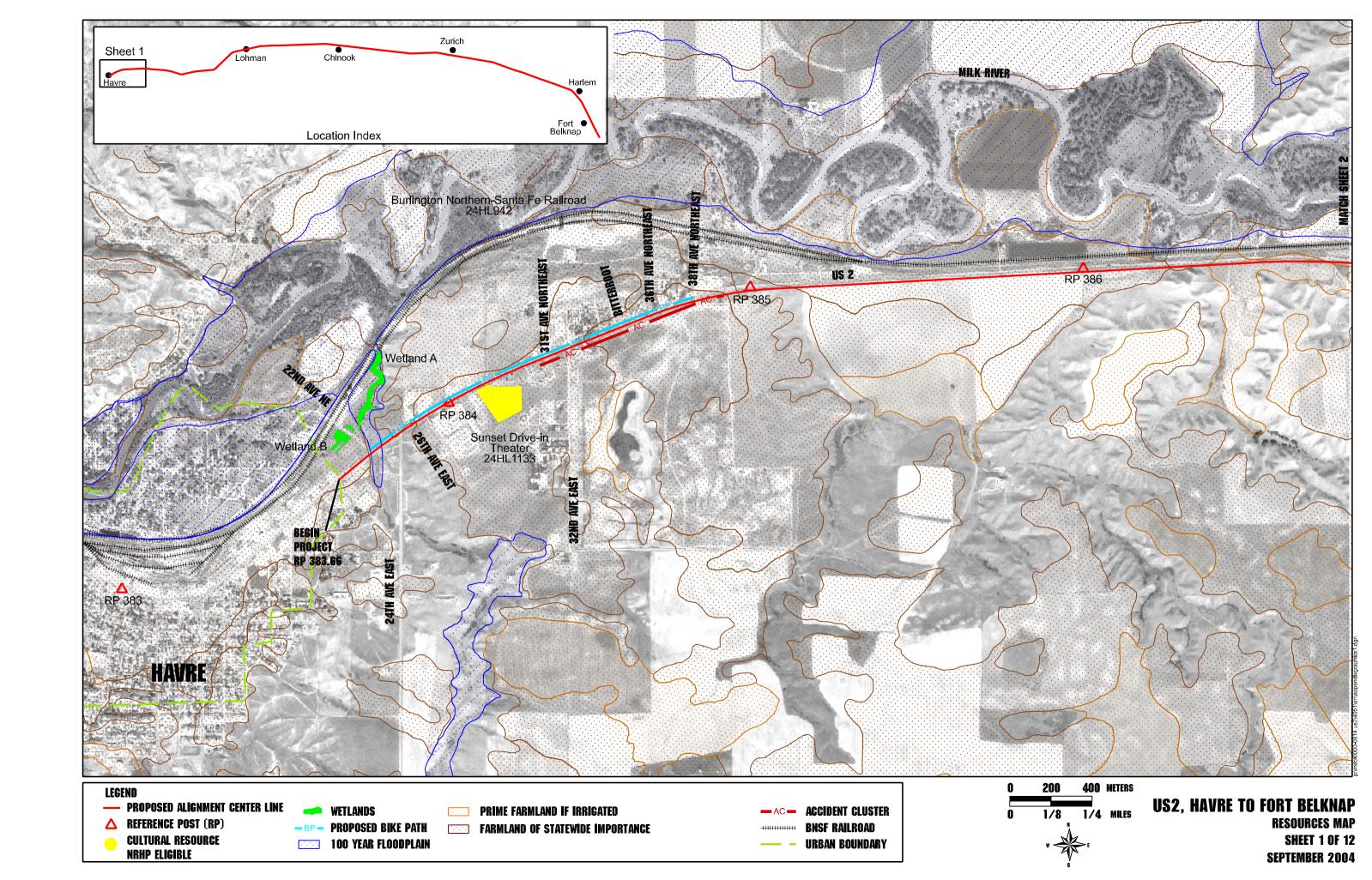
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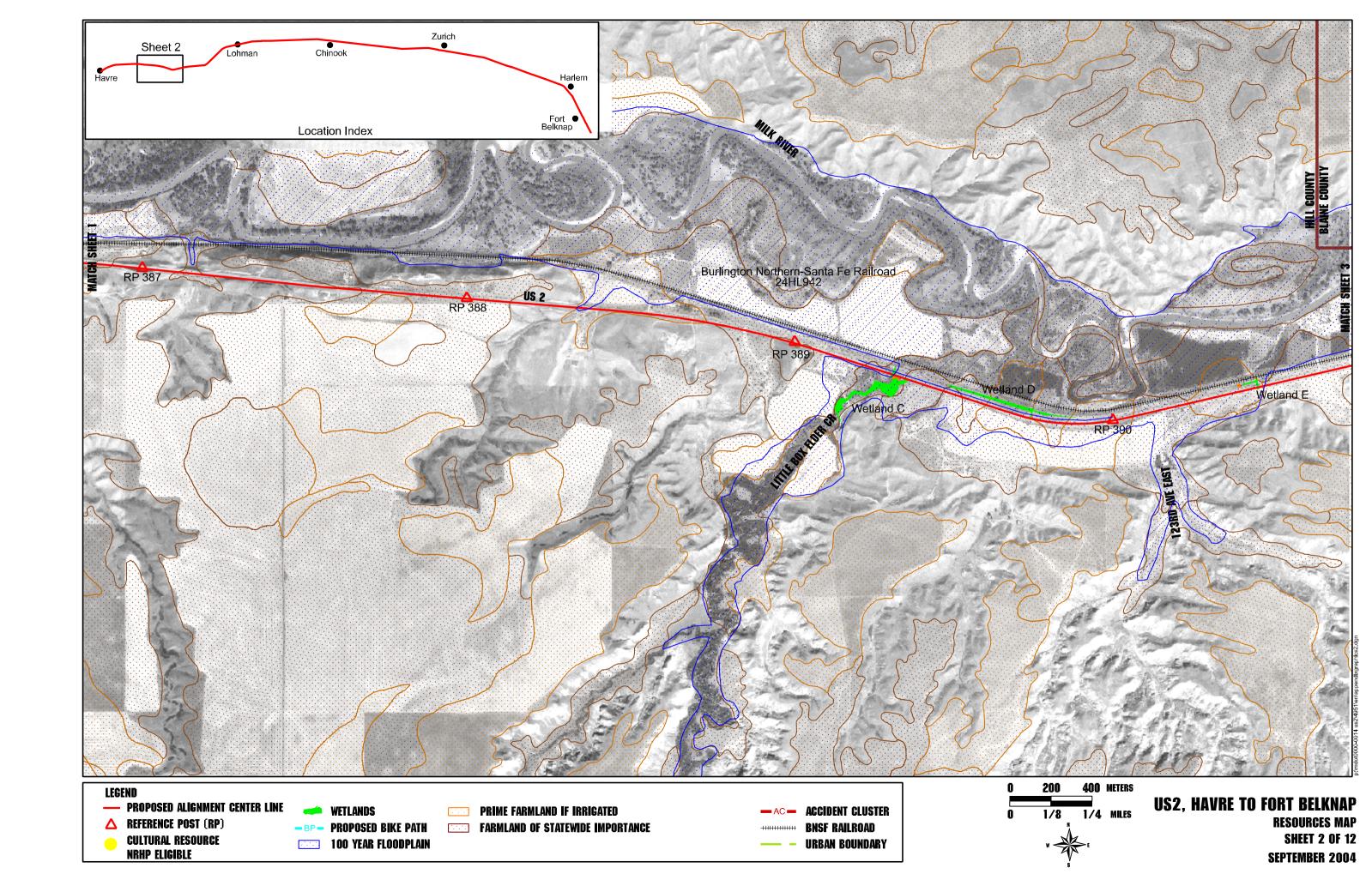


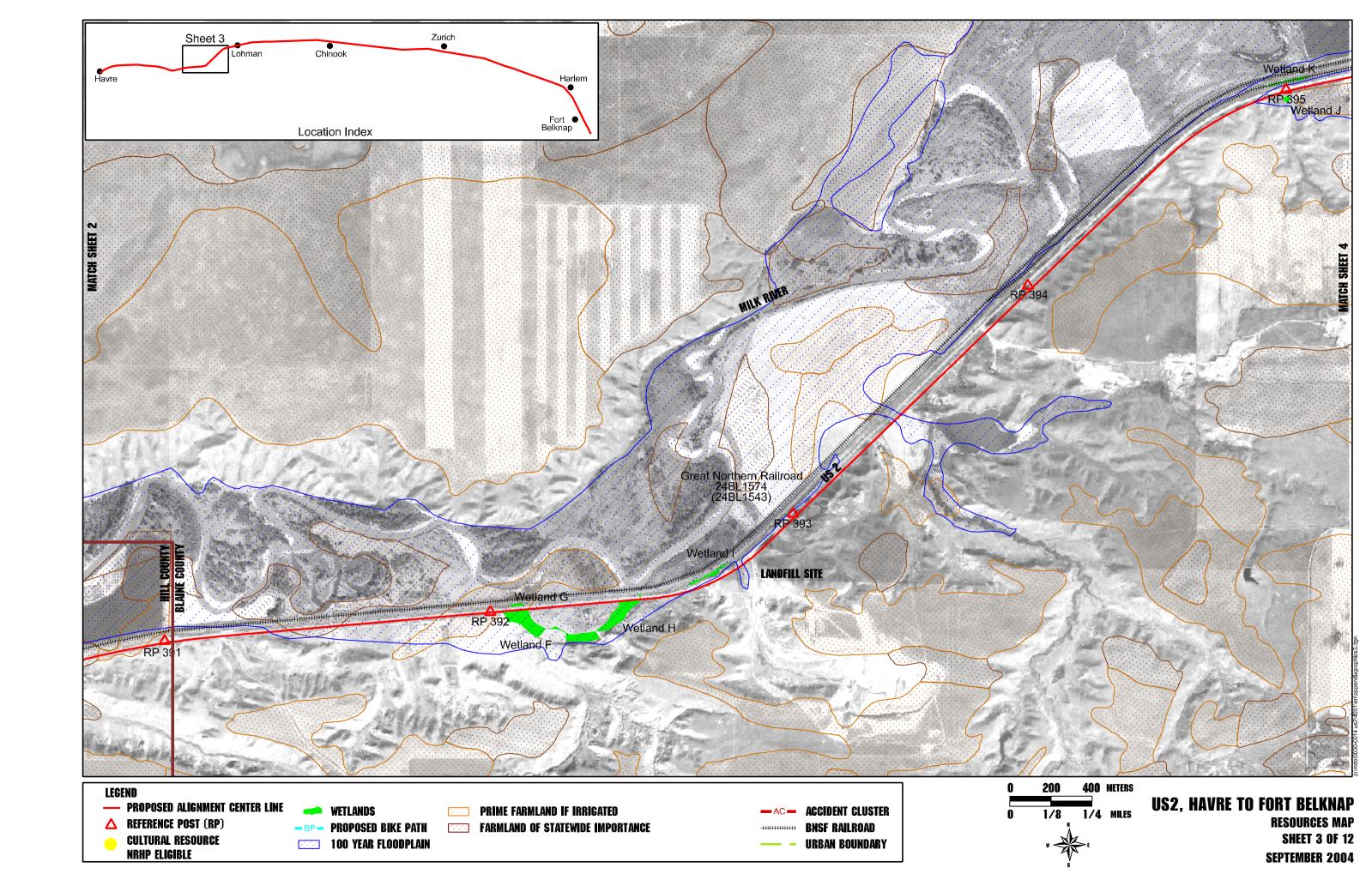
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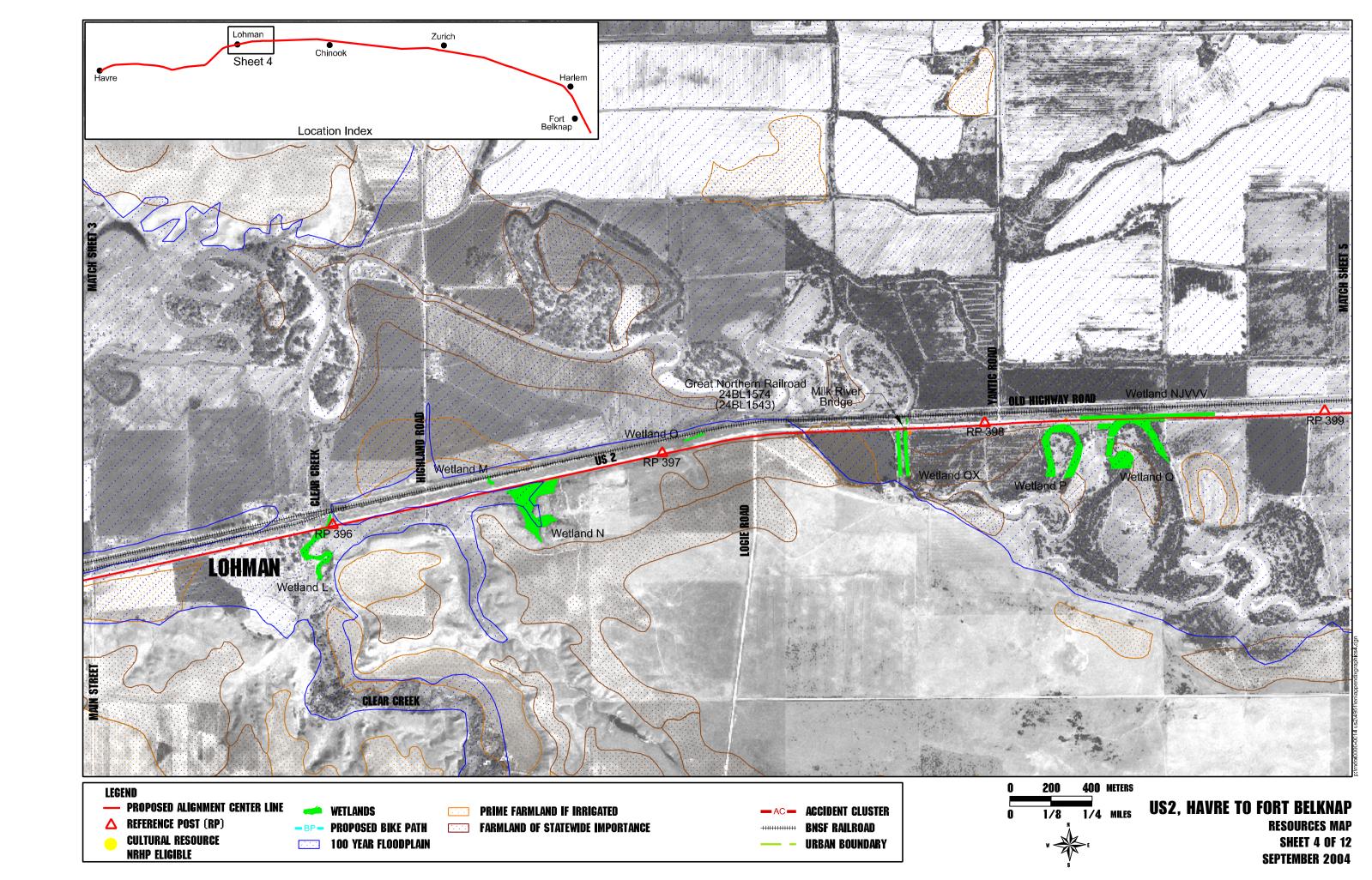
APPENDIX A – Resource Maps

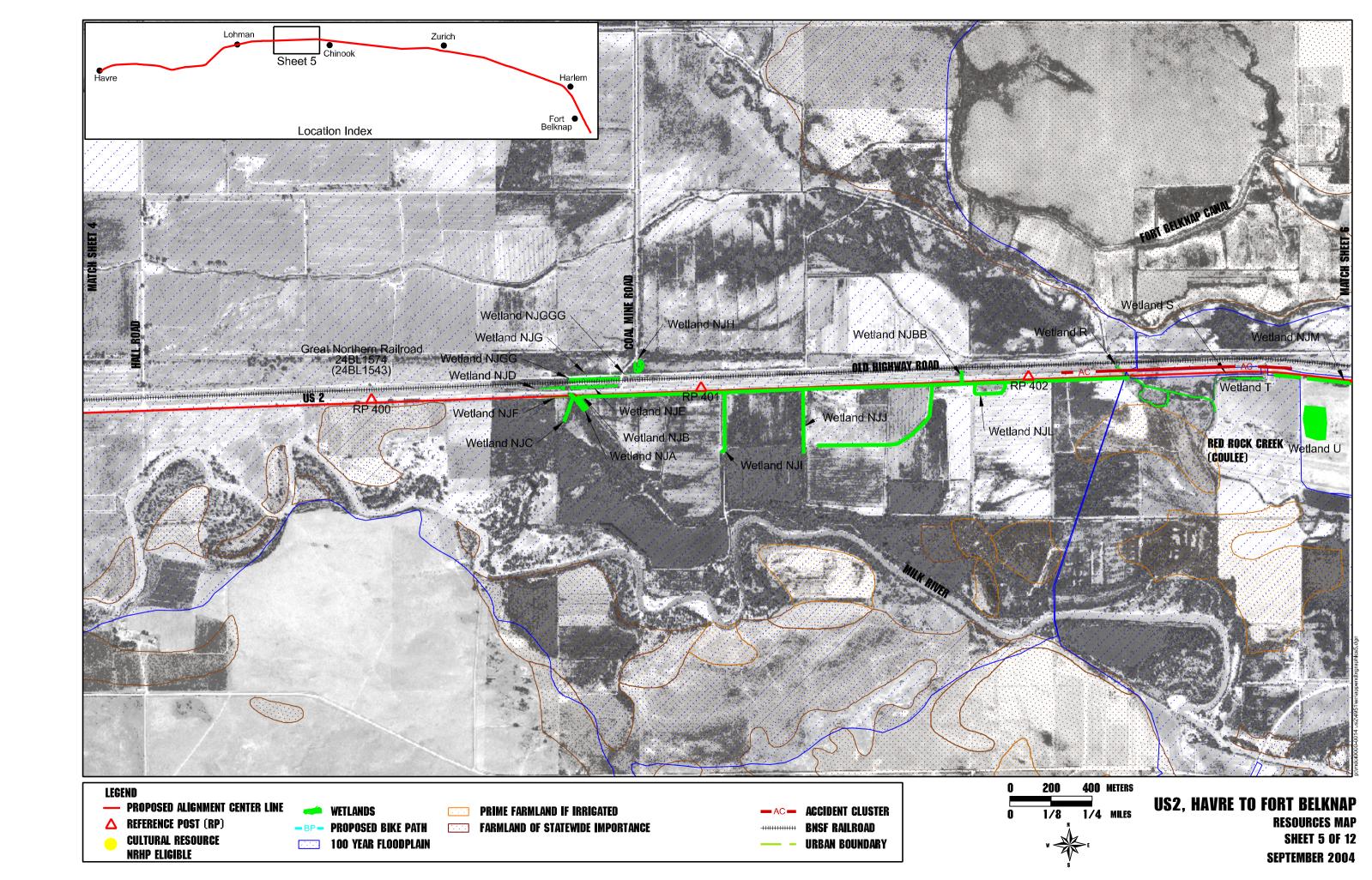
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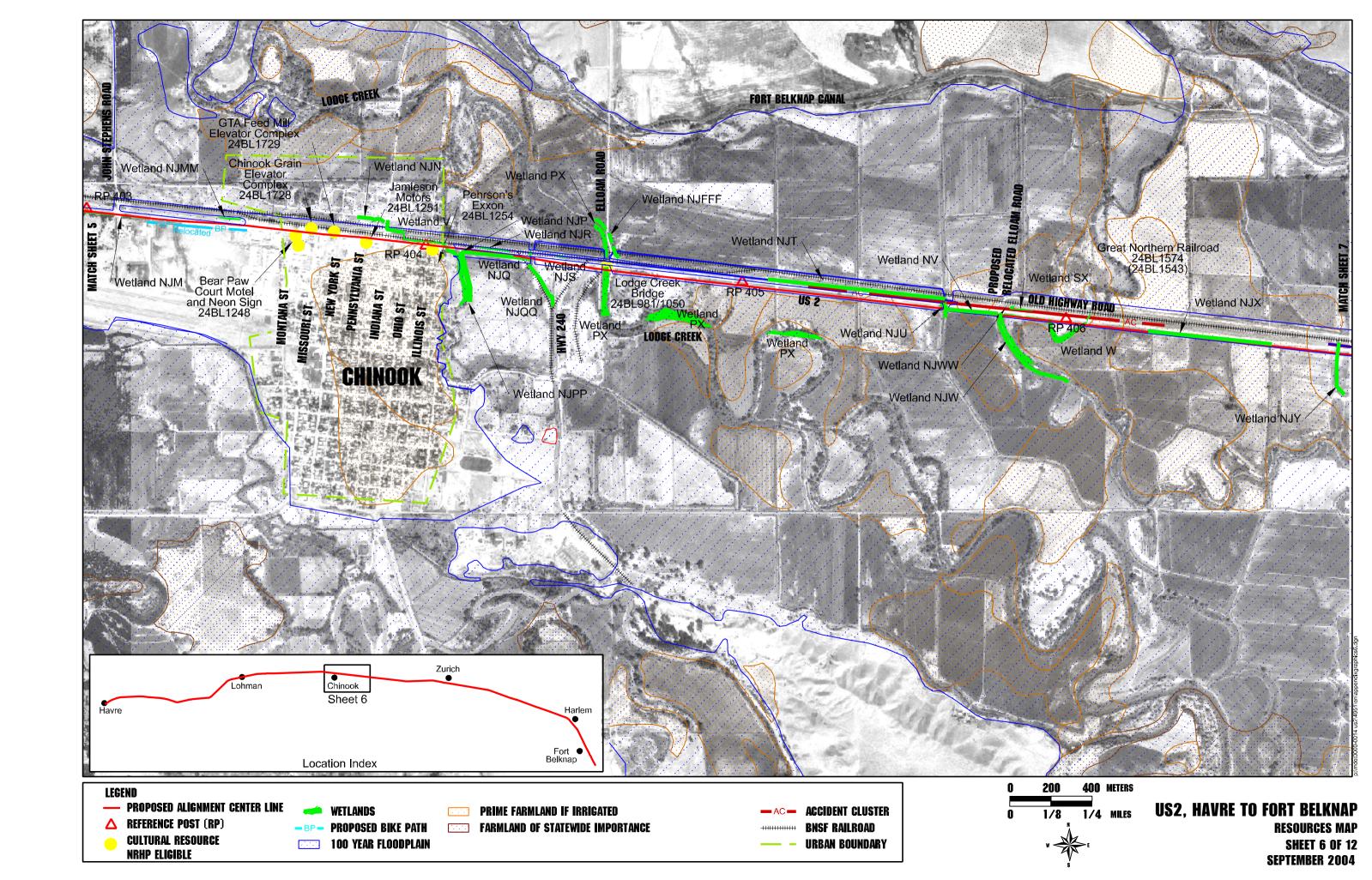


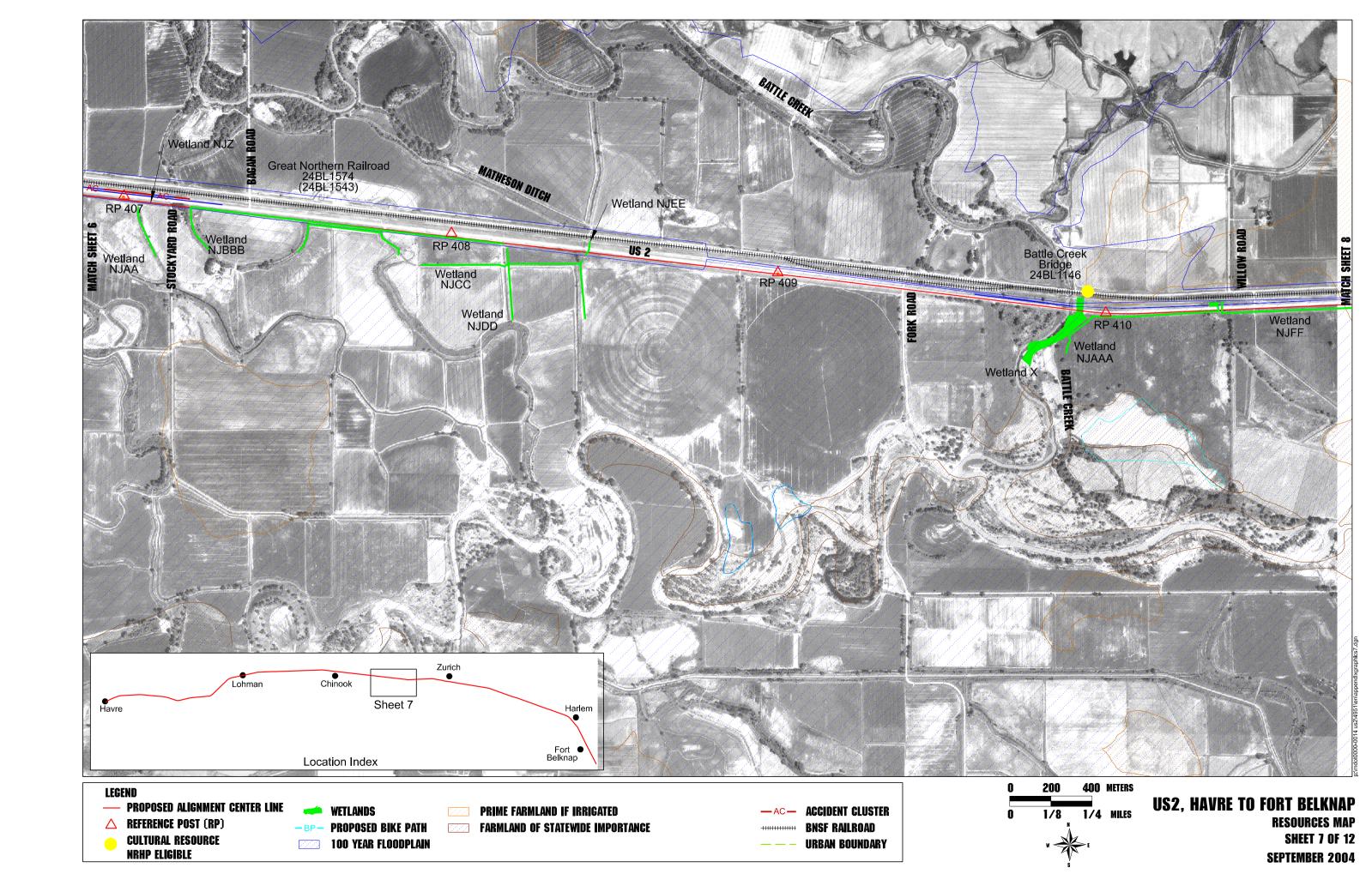


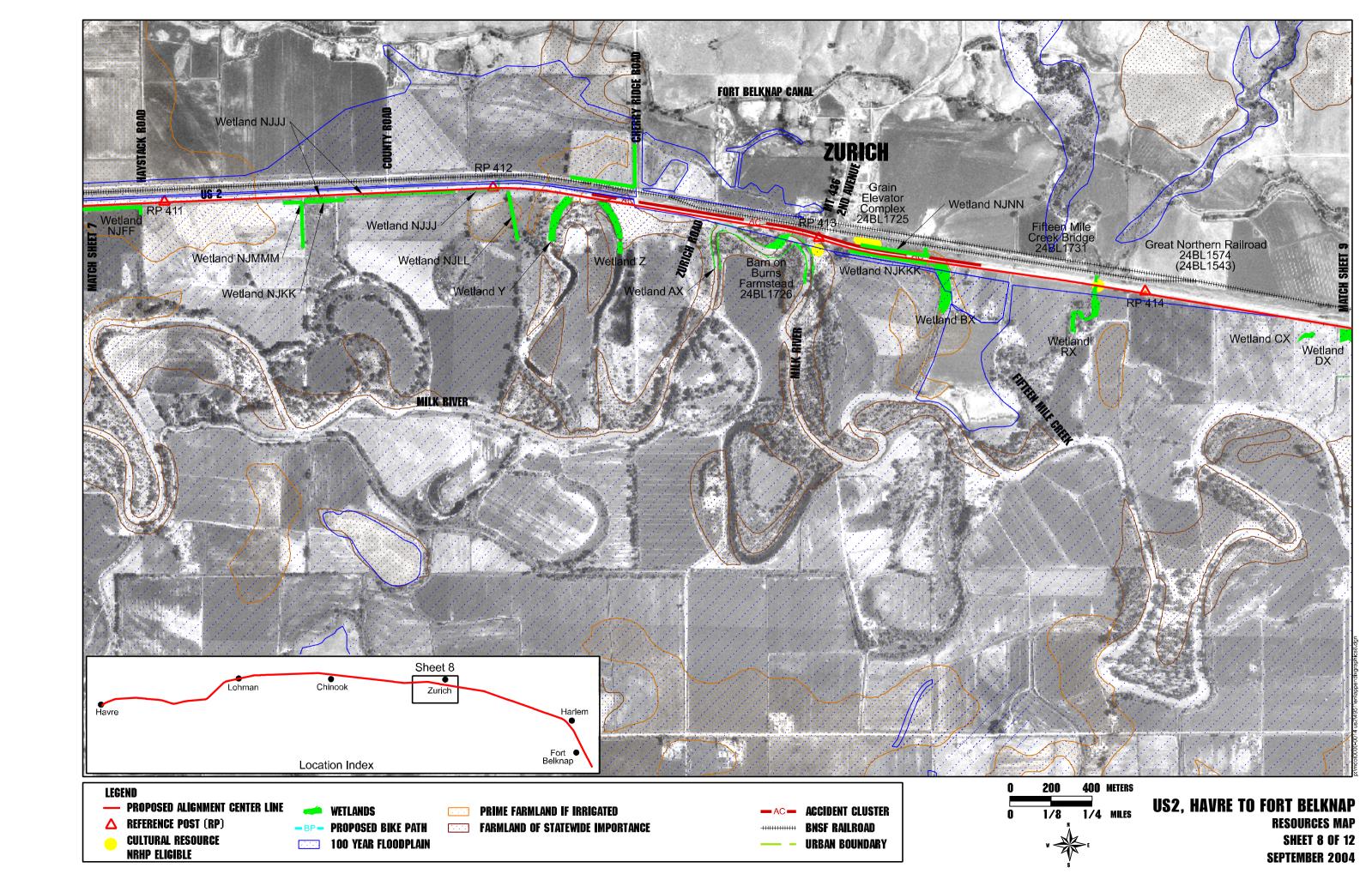


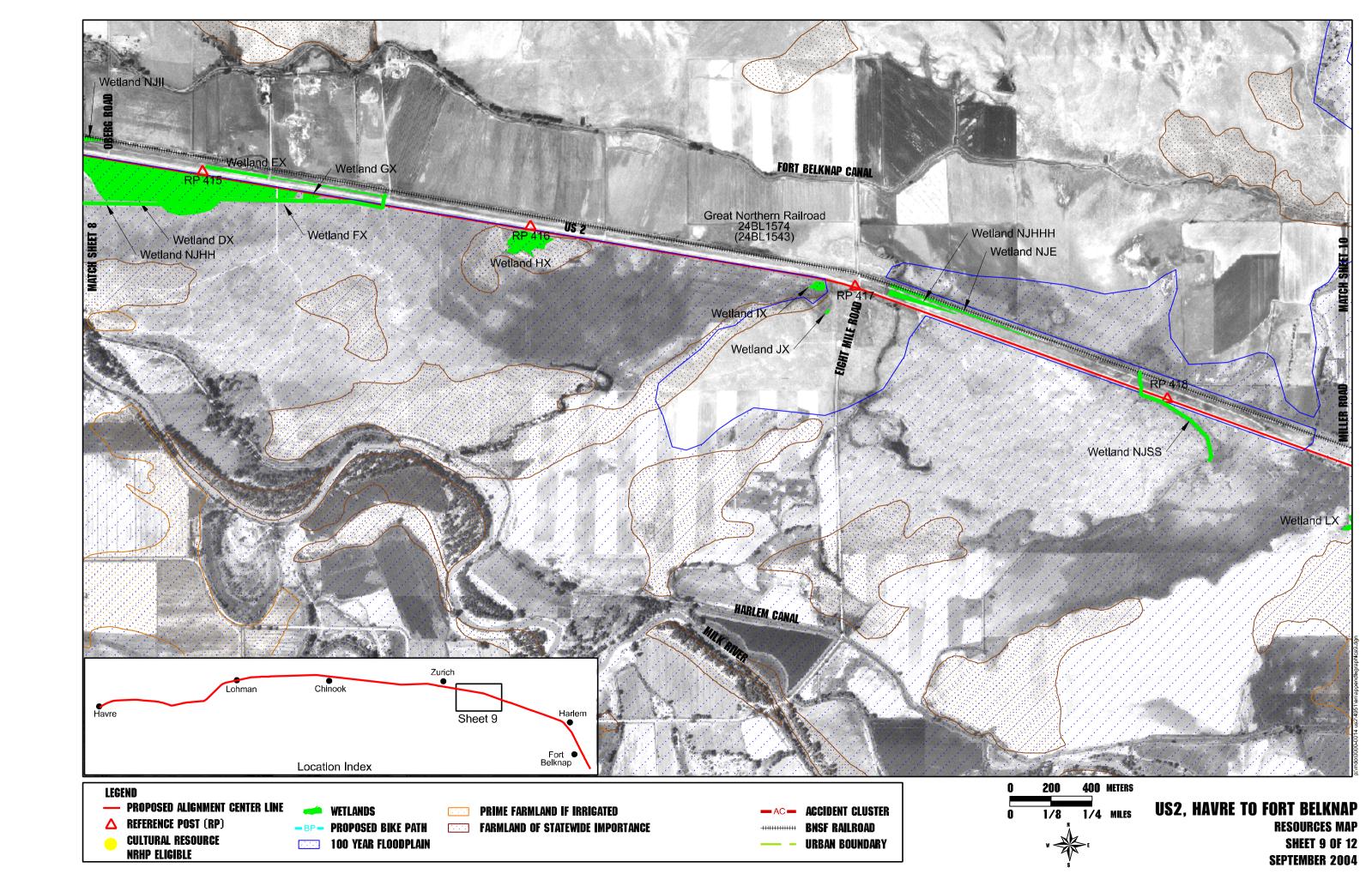


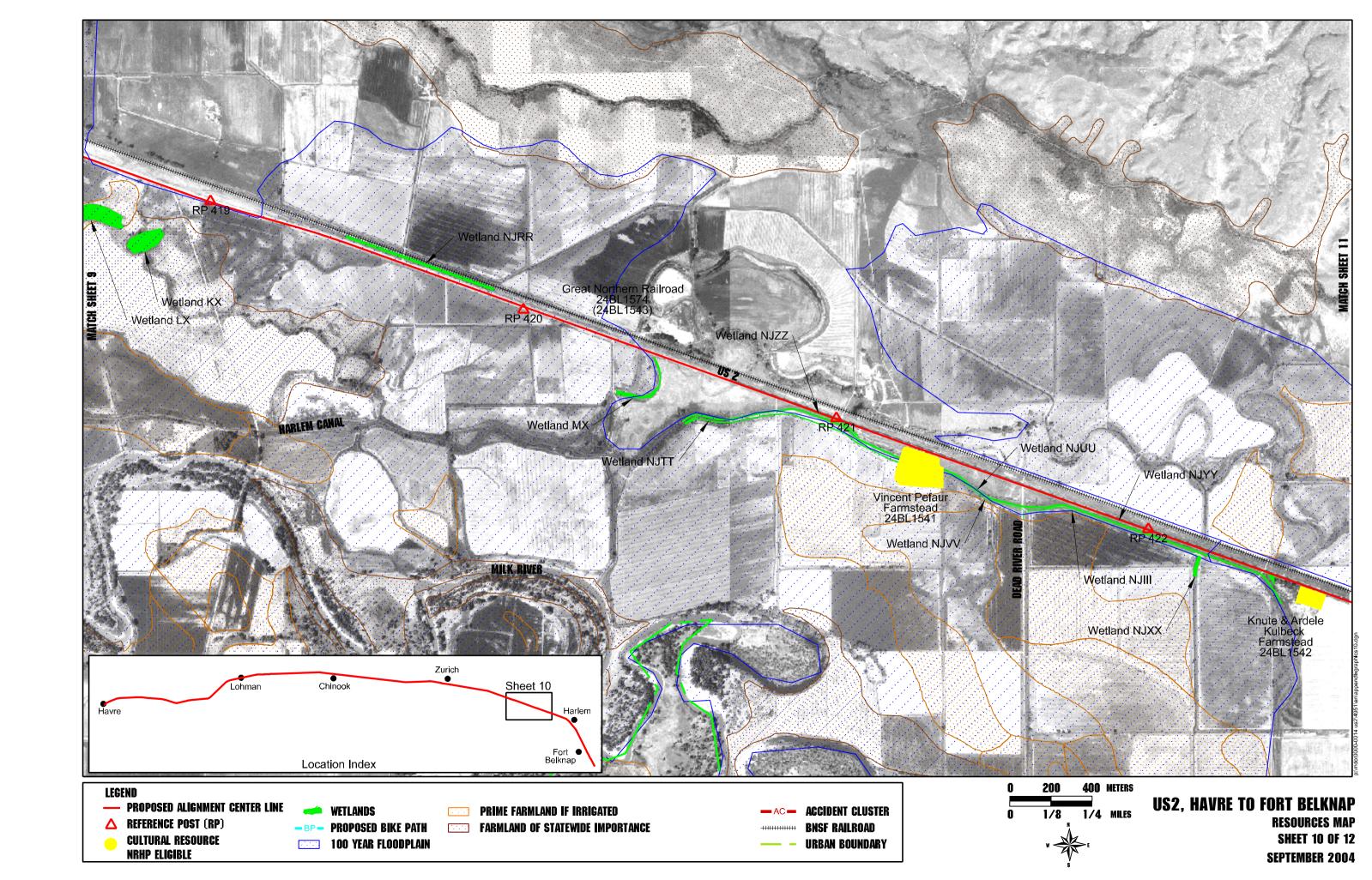


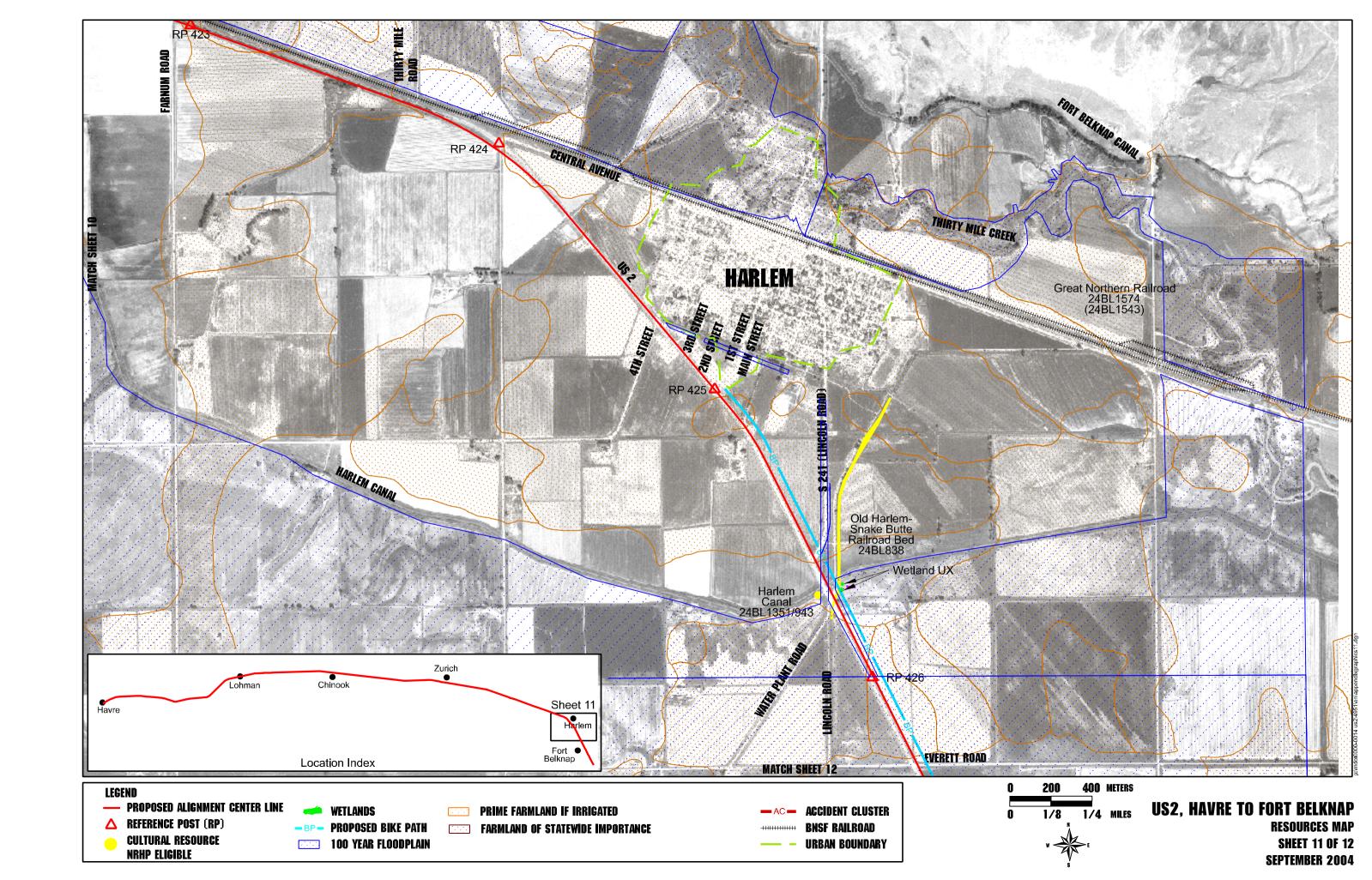


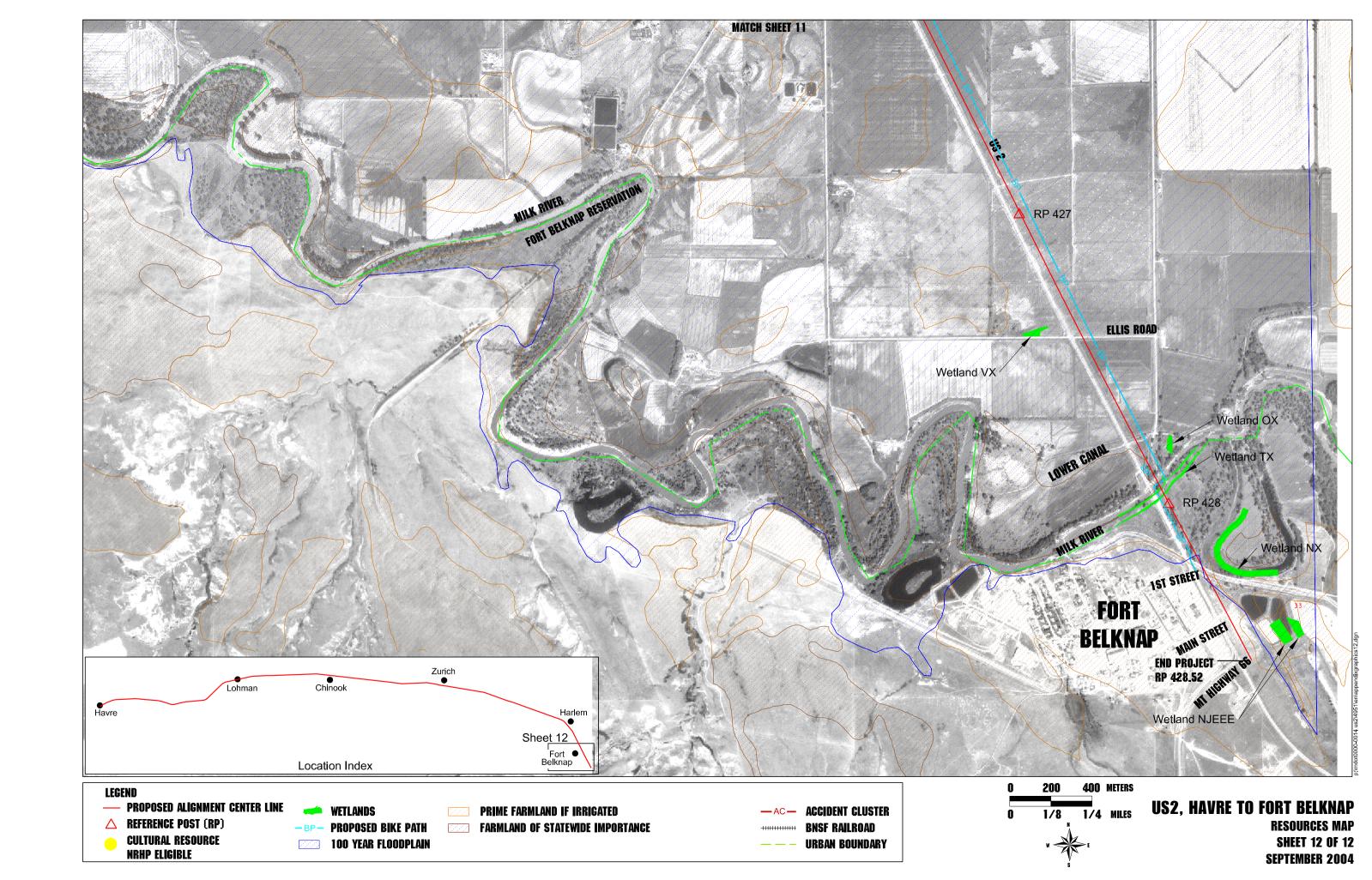














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FOR CORRESPONDENCE WITH THE MONTANA STATE HISTORIC PRESERVATION OFFICE PLEASE REFER TO:

APPENDIX F – CULTURAL RESOURCES





REPLY TO ATTENTION OF:

September 20, 2004

Helena Regulatory Office (406) 441-1375 Phone (406) 441-1380 Fax

Subject: Corps File Number 2002-90-597

US 2 - Havre to Fort Belknap EIS

PLH-TCSP 1-6(44)384, MDT Control Number 4951

Jurisdictional Determination of Ditches

Mr. Karl Helvik, P.E.
Consultant Project Engineer
Montana Department Of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, Montana 59620-1001

Dear Mr. Helvik:

In response to a letter from MDT dated September 10, 2004, this letter provides Corps' comments on the jurisdictional status of various identified roadside ditches, canals, and wetlands that may now be subject to Department of Army regulatory authorities because of the "Talent Decision."

After reviewing the list of waters included in that letter, it is unclear at this time if all of the identified waters are subject to Department of Army regulatory authorities. As discussed in recent conversations between our offices, it was decided to delay the final jurisdictional determination until after the EIS is finalized. MDT and the Federal Highway Administration (FHWA) will assume, during the EIS analysis, that the Corps regulates all of the waters in question. This could result in a maximum of 1.8 acres of added aquatic impact, raising the maximum expected wetland impact to 8.2 acres. This approach is acceptable to the Corps.

If you have any questions contact me at (406) 441-1375, and reference Corps File Number 2002-90-597.

Todd N. Tillinger, P

Project Manager

Copies furnished:

Jean Riley, MDT Environmental Services - Helena Dale Paulson, US Federal Highway Administration - Helena

U.S. ARMY CORPS OF ENGINEERS



HELENA REGULATORY OFFICE 10 WEST 15TH STREET, SUITE 2200 HELENA, MONTANA 59626

REPLY TO ATTENTION OF:

September 2, 2004

Helena Regulatory Office (406) 441-1375 Phone (406) 441-1380 Fax

Subject:

Corps File Number **2002-90-597**

US 2 - Havre to Fort Belknap EIS

PLH-TCSP 1-6(44)384, MDT Control Number 4951

Improved Two-Lane Alternatives

Mr. Karl Helvik, P.E. Consultant Project Engineer Montana Department Of Transportation 2701 Prospect Avenue PO Box 201001 Helena, Montana 59620-1001

Dear Mr. Helvik:

Thank you for providing additional written information on August 24, 2004 regarding the differences between the "Improved Two-Lane" and the "Improved Two-Lane with Passing Lanes" alternatives. As requested in that letter, we are providing clarification regarding the US Army Corps of Engineer's (Corps') Regulatory responsibility and the Two-Lane highway alternatives presented in the Draft Environmental Impact Statement (DEIS) for the US 2 - Havre to Fort Belknap project.

After reviewing the additional information, the Corps recognizes that the "Improved Two-Lane with Passing Lanes" alternative appears to have significant safety advantages over the "Improved Two-Lane" alternative. Because of the safety advantages and the small difference in impact on waters of the United States, it has been determined that both of the aforementioned alternatives would satisfy the Section 404(b)(1) Guidelines, and a Section 404 permit could be provided in either case. This determination was based solely on information provided to the Corps by MDT.

If you have any questions contact me or Todd Tillinger of my staff at (406) 441-1375, and reference Corps File Number 2002-90-597.

Sincerely,

Allan Steinle

Montana Program Manager

Copies furnished:

Jean Riley, MDT Environmental Services - Helena Darrin Grenfell, US Federal Highway Administration - Helena Scott Jackson, US Fish and Wildlife Service - Helena Regulatory Office Steve Potts, US Environmental Protection Agency - Helena Kristine Knutson, US Environmental Protection Agency - Helena Jeff Ryan, MT Department of Environmental Quality, Helena

U.S. ARMY CORPS OF ENGINEERS



HELENA REGULATORY OFFICE 10 WEST 15TH STREET, SUITE 2200 HELENA, MONTANA 59626

REPLY TO ATTENTION OF:

August 13, 2004

Helena Regulatory Office (406) 441-1375 Phone (406) 441-1380 Fax

Subject: Corps File Number 2002-90-597

US 2 - Havre to Fort Belknap EIS

PLH-TCSP 1-6(44)384, MDT Control Number 4951

Corps Comments - Draft Environmental Impact Statement (DEIS)

Mr. Karl Helvik, P.E.
Consultant Project Engineer
Montana Department Of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, Montana 59620-1001

Dear Mr. Helvik

	Consultant Design				
Act	Info	Pate 8 17 04	Attac	Initial	
		Routing	7	Ш	
		Bureau Chief			
		Consultant Plans Eng			
		Design Supervisor			
		CTEP Engineer			
		Holnik			
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As requested, this letter provides comments on the Draft Environmental Impact Statement (DEIS) for the US 2 - Havre to Fort Belknap project. The DEIS is dated June 2004, and was received in this office on June 23, 2004. Comments were requested by August 13, 2004.

The US Army Corps of Engineers (Corps) submitted comments on the Preliminary Draft Environmental Impact Statement (PDEIS) on May 12, 2004 (copy enclosed). Comments provided in this letter are in addition to issues and concerns identified in the Corps' May 12, 2004 letter.

Due to circumstances beyond the control of the Montana Regulatory Office, and since the date of the previous comments, ditches, canals, and wetlands that are tributary to other waters of the United States (WUS) are themselves waters of the United States. Accordingly, these waters are also subject to Department of Army Regulatory authorities. This includes irrigation canals and ditches that return flow to any WUS as well as ditches excavated in an upland that have wetlands or an ordinary high water (OHW) mark and are tributary to another WUS. As a result, some of the aquatic resources identified in the DEIS as non-jurisdictional are, in fact, jurisdictional. Compensatory mitigation will be required for all unavoidable impacts to all WUS.

As the project develops, it will be necessary to update the jurisdictional and aquatic impact information, discussions, and tables presented throughout the document to reflect the present extent of the Corps' regulatory authorities.

Clean Water Act regulations require that the Corps issue a permit for the least environmentally damaging practicable alternative that satisfies the project purpose. The only alternative presented in the DEIS that satisfies this requirement is the Improved Two-Lane Alternative. All other alternatives that satisfy the project purpose would result in more unavoidable impact on the aquatic environment. The Corps would be unable to issue a permit for any alternative that has impacts greater than those identified for the Improved Two-Lane Alternative.

If you have any questions contact me at (406) 441-1375, and reference Corps File Number 2002-90-597.

Sincerely,

Todd N. Tillinger, P.E.

Project Manager

Enclosure

Copies furnished, without enclosure:

Jean Riley, MDT Environmental Services - Helena Darrin Grenfell, US Federal Highway Administration - Helena Scott Jackson, US Fish and Wildlife Service - Helena Regulatory Office Steve Potts, US Environmental Protection Agency - Helena Kristine Knutson, US Environmental Protection Agency - Helena Jeff Ryan, MT Department of Environmental Quality, Helena

U.S. ARMY CORPS OF ENGINEERS



HELENA REGULATORY OFFICE 10 WEST 15TH STREET, SUITE 2200 HELENA, MONTANA 59626

REPLY TO ATTENTION OF:

May 12, 2004

Helena Regulatory Office (406) 441-1375 Phone (406) 441-1380 Fax

Subject

Corps File Number 2002-90-597

US 2 - Havre to Fort Belknap EIS

PLH-TCSP 1-6(44)384, MDT Control Number 4951

Preliminary Draft Environmental Impact Statement (PDEIS) Comments

Mr. Karl Helvik, P.E.
Consultant Project Engineer
Montana Department Of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, Montana 59620-1001

Dear Mr. Helvik

As requested, this letter provides comments on the Preliminary Draft Environmental Impact Statement (PDEIS) for the US 2 - Havre to Fort Belknap project. The PDEIS is dated April 5, 2004, and was received in this office on April 14, 2004. Comments were requested by May 14, 2004.

This Montana Department of Transportation (MDT) project involves the reconstruction and/or improvement of approximately 44.9 miles of US Highway 2 in northern Montana. The work would extend east from the community of Havre to the intersection with Montana Highway 66 on the Fort Belknap Indian Reservation. The project is within Hill County and Blaine County, Montana. There are nine major water bodies crossed by the project, including the Milk River, and there are numerous unnamed tributaries, irrigation canals, and wetlands present within the corridor.

Public Hearing: The US Army Corps of Engineers (Corps) has reviewed your request to hold a joint public hearing in the Summer of 2004, after the Draft Environmental Impact Statement (DEIS) is released to the public. The Corps agrees that a joint public hearing for this project would be beneficial, and we will participate at a level commensurate with our level of regulatory involvement and as our time and resources allow. Because our resources are limited, we request that MDT and the Federal Highway Administration or their designees take the lead for planning and documenting the results of the joint public hearing. Please coordinate the joint public hearing with Todd Tillinger in the Corps' Helena Regulatory Office.

Project Purpose: The stated purpose of this proposed US 2 improvement project is "to replace the aging US 2 facility with an efficient and safe highway that would be attractive to the needs of the local communities, agriculture, industry, commerce, and tourism." With respect to the Clean Water Act, the basic project purpose is improvement of the safety and efficiency of the road. This project is not water dependent; therefore, alternatives that do not involve impacts to waters of the United States are presumed to be available unless clearly demonstrated otherwise.

Wetlands: The range of alternatives that will be examined as part of the Section 404 Permit review will include the no build alternative as well as alternatives that improve the safety and efficiency of the road. As stated in 40 CFR 230.10(a), no discharge of dredged or fill material can be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences. The term practicable means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. In other words, of the alternatives that satisfy the basic project purpose (improve the safety and efficiency of the road) only the alternative that has the least amount of impact on the aquatic resource can receive a Department of Army Permit. Furthermore, if the discharge of fill is planned into a special aquatic site such as a wetland, all practicable alternatives that do not involve a discharge into a special aquatic site are presumed to have less adverse impact on the aquatic ecosystem unless clearly demonstrated otherwise.

All four of the build alternatives presented in the PDEIS satisfy the project purpose, but they have different levels of impact on the aquatic ecosystem. The improved two-lane alternative has the least amount of projected wetland fill, while the four-lane divided alternative has the most. If passing lanes are required, as in the improved two-lane with passing lanes alternative, the passing lanes must be located in areas or constructed in a manner that limits the amount of wetland fill to no more than the amount projected for the improved two-lane alternative.

Compensatory mitigation for unavoidable wetland impacts will be required. It is recommended that sufficient wetland mitigation be identified and/or fully developed prior to requesting Section 404 permits from the Corps. Compensatory wetland mitigation sites that are established, viable, and in-kind are preferred and will result in the most favorable mitigation ratios. No permits can be issued without a Corps-approved compensatory mitigation plan.

Floodplains: In accordance with 40 CFR 320.4(1) and the requirements of Executive Order 11988, the Corps should, to the extent practicable, avoid issuing permits that include adverse impacts associated with the occupancy and modification of floodplains. If floodplain impacts are determined to be necessary and in the best interest of the public, the Corps must ensure that the natural and beneficial functions of floodplains are restored and preserved while minimizing the risk to human health, safety, and welfare. If no alternative exists to filling in floodplains, the Corps will consider alternatives that reduce adverse impacts to the floodplain.

Fill encroachments into floodplains and channel modifications to the Milk River and all other streams and tributaries will not be permitted unless it is clearly demonstrated that no other practicable alternatives are available. Unavoidable impacts must be minimized to the extent practicable, and compensatory mitigation will be required for all remaining unavoidable riverine impacts.

Draft Section 404(b)(1) Evaluation: This section of the PDEIS does an adequate job of reviewing and describing the potential effects of the project, as described by 40 CFR 230 (also known as the Section 404(b)(1) Guidelines). The document fails to recommend the alternative that has the least amount of impact on the aquatic resource. This is not a problem for the Corps; in absence of a substantive conclusion within the DEIS, the Corps will still be required to demonstrate compliance with the Guidelines. The Corps will identify the alternative that has the least amount of aquatic impact, and will only issue a permit for the alternative that satisfies the project purpose and has the least amount of impact on the aquatic ecosystem. Therefore, any permitted alternative must have impacts no greater than those identified for the Improved Two-Lane Alternative.

Additional input and comments from this office will be provided as necessary, and as the plans for the joint public hearing mature. The Corps project manager for this project is Todd Tillinger. If you have questions feel free to call Todd or myself at (406) 441-1375, and reference Corps File Number 2002-90-597.

Sincerely,

Allan Steinle

Montana Program Manager

Copies Furnished:

Jean Riley, MDT Environmental Services - Helena
Dale Paulson, US Federal Highway Administration - Helena
Scott Jackson, US Fish and Wildlife Service - Helena Regulatory Office
Steve Potts, US Environmental Protection Agency - Helena
Kristine Knutson, US Environmental Protection Agency - Helena
Jeff Ryan, MT Department of Environmental Quality, Helena

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U.S. ARMY CORPS OF ENGINEERS

HELENA REGULATORY OFFICE 10 WEST 15TH STREET, SUITE 2200 HELENA, MONTANA 59626

November 19, 2002

Helena Regulatory Office Phone (406) 441-1375 Fax (406) 441-1380

Subject:

Corps File Number 2002-90-597

US 2 Havre to Fort Belknap EIS

PLH-TCSP 1-6 (44) 384, Control Number 4951

Jean Riley
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

Dear Ms. Riley:

This letter is a response to a request that the US Army Corps of Engineers (Corps) be a Cooperating Agency for the Montana Department of Transportation (MDT) project listed above. A reply was requested by October 28, 2002, and we appreciate your acceptance of this late response.

Under the authority of Section 404 of the Clean Water Act, Department of the Army permits are required for the discharge of fill material below the ordinary high water mark of our Nation's rivers, streams, lakes or wetlands.

Pursuant to the National Environmental Policy Act, the Corps agrees to be a Cooperating Agency. Our participation as a Cooperating Agency will be commensurate with the level of project impact on Waters of the United States. This is in addition to our regulatory and permitting responsibilities.

Todd Tillinger of this office will be the Corps' project manager. He may be reached by phone at (406) 441-1375 or by e-mail at todd.n.tillinger@usace.army.mil. Please reference Corps File Number 2002-90-597.

Sincerely,

Allan Steinle

Montana Program Manager





Havre Field Office 206 25th Avenue West Havre, MT 59501-6008

OCT 2 3 2002

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1-406-265-6792 Fax 1-406-265-3077 ENVIRONMENTAL

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October 16, 2002

Jean A. Riley, P.E.

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

RE: US 2 Havre to Fort Belknap EIS PLH-TCSP 1-6(44)384 Control NO. 4951

Dear Mr. Riley:

Thank you for you letter of September 17, 2002, relating to the US Highway 2 project.

As an agency, the NRCS would like to continue to be informed of the ongoing activities affecting the farmland along the proposed highway route. We ask that you clarify the project limits, by designating impacted areas on a more detailed map. We also request that the department complete the appropriate parts of Form AD-1006, or CPA-103.

Matthew Crampton and I will be cooperating on this issue, so all necessary documentation may be addressed to him for our agency. Thank you for your correspondence on this project.

Respectfully,

Deana Biegalke Grabofsky & Matthew Crampton

District Conservationists

Havre NRCS & Chinook NRCS

Cc:

Tom Pick, Water Quality Specialist, NRCS, Bozeman MT Phyllis Philipps, ASTC(FO) Upper Missouri Resource Team, NRCS, Great Falls, MT Randall Phelan, ASTC(FO) Lower Missouri Resource Team, NRCS, Glasgow, MT

United States Department of Agriculture



Natural Resources Conservation Service Federal Building, Room 443 10 East Babcock Street Bozeman, Montana 59715-4704

September 30, 2002

Jean A. Riley, P.E.
Engineering Section Supervisor
Montana Department of Transportation
Post Office Box 201001
Helena, Montana 59620-1001

Dear Ms. Riley:

SUBJECT:

US 2 HAVRE TO FORT BELKNAP EIS

PLH-TCSP 1-6(44)384 CONTROL NO. 4951

Thank you for your letter of September 17, 2002, inviting the Natural Resources Conservation Service (NRCS) to participate as a Cooperating Agency on the above referenced highway improvement project. As you may be aware, the enactment of the 2002 Farm Bill in addition to emergency drought assistance and ongoing conservation programs have placed particularly strong demands on NRCS technical assistance resources at this time. Due to the requirements of meeting our workload, we therefore are not requesting to become a Cooperating Agency on this project.

NRCS does continue to advocate for interagency coordination and requests to be kept informed of the progress of the study, coordination meetings, and draft environmental documents on an informal basis. We will comment and/or participate when appropriate and as time allows. Since the project transects several NRCS field office jurisdictions, any such information should be sent to the following individuals:

- Deana Grabofsky, District Conservationist
 USDA-NRCS, Havre Field Office, 206 25th Avenue West, Havre, Montana 59501-3418;
- Matthew Crampton, District Conservationist USDA-NRCS, Chinook Field Office, P.O. Box 189, Chinook, Montana 59523-0189; and,
- Terry Buck, Tribal Conservationist
 USDA-NRCS, Fort Belknap Office, RR1, Box 66, Harlem, MT 59526-9705.

Please continue to coordinate the identification of Important Farmlands and completion of the CPA-103 (or AD-1006), Farmland Conversion Impact Rating Form, if necessary, through Matthew Crampton in Chinook. Thank you again for your correspondence and the opportunity to participate in this project.

DAVEWHITE

State Conservationist

a Felo

cc:

Martin A. Jiminez, SRC, NRCS, Bozeman, MT
Randall Phelan, ASTC (FO), Lower Missouri Natural Resource Team, NRCS, Glasgow, MT
Phyllis Phillips, ASTC (FO), Upper Missouri Natural Resource Team, NRCS, Great Falls, MT
Tom Pick, Water Quality Specialist, NRCS, Bozeman, MT
Deana Grabofsky, District Conservationist, NRCS FO, Havre, MT
Matthew Crampton, District Conservationist, NRCS FO, Chinook, MT
Terry Buck, Tribal Conservationist, NRCS FO, Harlem, MT





BUREAU OF INDIAN AFFAIRS Rocky Moumain Regional Office 316 North 26th St. Billings, Montana 59101

IN REPLY REFER TO: Environmental, Safety & Cultural Resources Management (620)

<u>MEMORANDUM</u>

To:

Gene Omet 72, PE Consultant Project Engineer, Montana Department of Transportation

From:

Environmental Engineer, Rocky Mountain Region

Subject:

US 2 - Havre to Fort Belknap EIS

PLH-TCSP 1-6(44)384, CN 4951

Draft Environmental Impact Statement for Agency Review Comments

Thank you for availing to the Bureau of Indian Affairs (BIA) the opportunity to review and comment on the subject document. The BIA is satisfied with the Draft Environmental Impact Statement in its present form and has no comments or issues with the document.

The BIA looks forward to continued cooperation and participation with the State in this environmental review process. Do not hesitate to contact me should you have and comments or questions. I may be reached at (406) 247-7998, Ext. 253. You may also contact Mr. Rick Stefanic at (406) 247-7911.

ONACKO:jkw:8/12/04:f:draftEIScommentsletter11aug04

bcc: 620 subject/reading file



BUREAU OF INDIAN AFFAIRS

Rocky Mountain Regional Office 316 North 26th St. Billings, Montana 59101

ro: Environmental Services-160

SEP 17 2002

S Sternberg o

Carl Helvik, Consultant Design Montana Department of Transportation 2701 Prospect Avenue Helena, Montana 59620-1001

PLH-TCSP -6(44) 384 CN 4951

Dear Mr. Helvik:

It has come to our attention that the Montana Department of Transportation proposes to prepare an Environmental Impact Statement (EIS) for improvements to US Highway 2 in Hill and Blaine Counties. It appears that a small portion of the proposed action could be on the Fort Belknap Reservation. If the highway will be on the Reservation, the Bureau of Indian Affairs would like to be a cooperating agency in the development of the EIS.

We also recommend that you consult with the Fort Belknap Community Council to gather input, issues, and concerns associated with the proposed construction. The address for the Council is:

Fort Belknap Community Council RR1, Box 66 Harlem, Montana 59526 406/353-2205

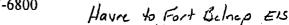
Questions may be directed to Rick Stefanic at 406/247-7911

Sincerely, Date Recd Preconst 6 MAIL ROUTE 30 Preconst Engr 30 Assistant **Deputy Director** 30 Office Mgr 31 Safety Mgmt. 32 Road Design cc: Chairman, Fort Belknap Community Council 33 Environment Superintendent, Fort Belknap Agency 34 Hydraulics 35 Survey & Mapping Perenequest of Eck Glefanic, this eleter is to be used as BIA 26 Traffic Eng 39 Consultant Dsn. official response and Page B-13 acceptance of Coop



BUREAU OF LAND MANAGEMENT Montana State Office 5001 Southgate Drive, P.O. Box 36800 Billings, Montana 59107-6800

http://www.mt.blm.gov/





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OCT 1 0 2002

October 9, 2002

ENVIRONMENTAL

Ms. J. A. Riley, PE Montana Department of Transportation P.O. Box 201001 Helena, Montana 59620-1001 MASTER FILE COPY

Dear Ms Riley

Thank you for your letter of September 17, 2002, notifying the Bureau of Land Management (BLM) of the proposed highway improvement project (US 2 Havre to Fort Belknap) in Hill and Blaine Counties, Montana. The Montana Department of Transportation (MDT) requests BLM to be a cooperating agency on this project, as an environmental impact statement (EIS) will be prepared. Although BLM appreciates the opportunity to participate, we do not see a need to be a cooperating agency because a review of the route reveals that US 2 crosses only a few small parcels of public land administered by BLM.

We would appreciate MDT providing a preliminary (rough draft) EIS when it is available for our review and comment.

Our staff at the BLM Havre Field Station office is available to discuss any aspects of the project as it affects the BLM-administered public land parcels. The principal contact would be Brandi Hecker, Natural Resource Specialist. She can be reached at 406-265-5891.

Sincerely,

Howard A. Lemm

Acting Deputy State Director

Division of Resources

cc:

Field Manager, Lewistown Field Office Field Station Manager, Havre Field Station



FISH AND WILDLIFE SERVICE

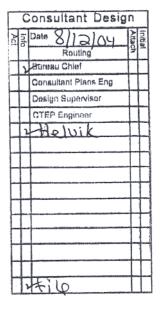
ECOLOGICAL SERVICES MONTANA FIELD OFFICE 100 N. PARK, SUITE 320 HELENA, MONTANA 59601 PHONE (406) 449-5225, FAX (406) 449-5339

M.17 FHWA Havre - Ft. Belknap (Hwy.2)

August 11, 2004

Karl Helvik, Consultant Project Engineer Montana Department of Transportation 2701 Prospect Avenue P.O. Box 201001 Helena, Montana 59620-1001

Dear Mr. Helvik:



This is in response to a letter from the Montana Department of Transportation (Department) dated June 18, 2004, that transmitted the Draft Environmental Impact Statement (DEIS) for the U.S. Highway 2; Havre to Fort Belknap project (PLH-TCSP 1-6(44)384; Control No. 4951). This project would entail reconstructing approximately 72 kilometers of U.S. Highway 2 in Hill and Blaine Counties, Montana with new horizontal and vertical alignments. The letter requested written comments from the U.S. Fish and Wildlife Service (Service), as a cooperating agency, to be considered when selecting the final preferred alternative and when developing the Final EIS for this project. These comments have been prepared under the authority of, and in accordance with, the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

The DEIS describes the five alternatives proposed for this project: no build; improved two-lane; improved two-lane with passing lanes; four-lane undivided; and four-lane divided. All of the build alternatives would fulfill the purpose of and need for the project. The Department's preferred alternative is a four-lane facility, while the Federal Highway Administration prefers the improved two-lane with passing lanes alternative.

The Milk River parallels U.S. Highway 2 in this area, and is crossed twice by the highway within the project area. In addition, six creeks, several irrigation canals, and a number of unnamed drainages and oxbow lakes are traversed by the project corridor. Because of the proximity of the project corridor to these aquatic features, there will be a number of aquatic impacts associated with any of the build alternatives. However, there are clear and substantial differences in the degree to which these resources are impacted, depending on the alternative chosen. For instance, there are three types of wetland resources described in the DEIS that would be impacted by reconstruction of this highway; jurisdictional wetlands, non-jurisdictional wetlands, and non-jurisdictional ditches and canals. Impacts to these types of wetland resources would increase 64 percent, 100 percent, and 67 percent, respectively, if the four-lane divided alternative is compared to the improved two-lane alternative.

The Service earlier reviewed the biological assessment for this project and, in a letter dated April 6, 2004, provided our concurrence with the Department's determination that any of the five alternatives proposed for this project would not be likely to adversely affect threatened bald eagles (*Haliaeetus leucocephalus*). It was noted in that letter that of the four build alternatives proposed, the improved two-lane alternative would disturb the least amount of potential bald eagle habitat. The four-lane divided alternative would have the highest likelihood of disturbing bald eagle habitat. Because of the fact that a four-lane highway is larger and incorporates more area than a two-lane facility, this same trend is also apparent when habitat impacts of other fish and wildlife species are examined.

Based on our review of information in the DEIS, it appears that a two-lane option would safely and adequately accommodate existing and projected future traffic volumes and would not restrict future economic development of the Highway 2 corridor. The Service believes that the information in the DEIS plainly demonstrates that the two-lane alternatives are less costly to construct and would create fewer impacts to valuable resources such as wetlands and wildlife while fully meeting the purpose and need of this project. The DEIS does not seem to demonstrate that a four-lane facility is the most logical alternative to be carried forward as the preferred alternative for this project.

Thank you for the opportunity to review and comment on this document. If you have questions about this letter, please contact Scott Jackson, of my staff, at (406) 449-5225, extension 201.

Sincerely

R. Mark Wilson Field Supervisor

Copy to: Jeff Ryan, DEQ, Helena, MT Todd Tillinger, COE, Helena, MT Steve Potts, EPA, Helena, MT



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ENVIRONMENTAL 100 N. PARK, SUITE 320 HELENA, MONTANA 59601

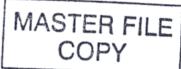
PHONE (406) 449-5225, FAX (406) 449-5339

CC: Karl Helvik - Consult. Design M. Johnson - G.F. District Paul Ferry - Highway Eng - Preco B. Steg - Env. Services T. Riley - Env. Services

M.17 FHWA Havre - Ft. Belknap (Hwy.2)

Bob Effinger
Montana Department of Transportation
Environmental Services
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

April 6, 2004 T. Goclesch - Enu. Service B. Effinger - Enu. Service File



Dear Mr. Effinger

This is in response to your letter dated February 20, 2004, regarding a joint proposal by the Federal Highway Administration and the Montana Department of Transportation to reconstruct approximately 72 kilometers of U.S. Highway 2 between Havre and Fort Belknap in Hill and Blaine Counties, Montana (PLH-TCSP 1-6(44)384; Control No. 4951). An environmental impact statement will be prepared for this segment of U.S. Highway 2. At this time, there are five proposed alternatives for this project, including: 1) no build; 2) improved two-lane; 3) improved two-lane with passing lanes; 4) four-lane undivided; and 5) four-lane divided. It does not appear that a preferred alternative has yet been selected. The build alternatives would all entail a full reconstruction of the highway with new horizontal and vertical alignments. The Milk River parallels U.S. Highway 2 in this area, and is crossed twice by the highway within the project area. In addition, six creeks, several irrigation canals, and a number of unnamed drainages and oxbow lakes are crossed by the project corridor. Your letter transmitted the final Biological Resources Report (BRR) for this project to the U.S. Fish and Wildlife Service (Service) and requested that the Service concur with its determination of effect for the threatened bald eagle (Haliaeetus leucocephalus) with regard to this proposed highway reconstruction project.

The four build alternatives proposed for this corridor would have similar impacts to listed species, although they would differ somewhat in their degree of impact. Of the four build alternatives, the improved two-lane would disturb the least amount of potential bald eagle habitat. However, the Service believes that the activities associated with any of the proposed project alternatives, as described in the BRR dated December 19, 2003, would not have the potential to cause an adverse effect to bald eagles. Therefore, we concur with the determination that this project would not be likely to adversely affect this species and formal consultation is not required. The Service bases its concurrence on information displayed in the BRR, and in particular the mitigation measures that accompanied the BRR that would be implemented as a

part of this project to assure that federally-listed species are not adversely affected by highway reconstruction activities.

This concludes informal consultation pursuant to regulations 50 CFR §402.13 implementing the Endangered Species Act of 1973, as amended (Act). This project should be re-analyzed if new information reveals effects of the action that may affect threatened or endangered species, if the project is modified in a manner that causes an effect not considered in this consultation, or if the mitigation measures are not fully implemented.

The Service appreciates your efforts to consider and conserve fish and wildlife resources, including threatened and endangered species. If you have questions about this letter or your responsibilities under the Act, please contact Mr. Scott Jackson, of my staff, at (406) 449-5225, extension 201.

Sincerely.

R. Mark Wilson Field Supervisor

Copy to: Todd Tillinger, COE, Helena, MT

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FISH AND WILDLIFE SERVICE

ECOLOGICAL SERVICES MONTANA FIELD OFFICE 100 N. PARK, SUITE 320 HELENA, MONTANA 59601 PHONE (406) 449-5225, FAX (406) 449-5339 MASTER FILE COPY

October 31, 2002

ENVIRONMENTAL

M.44 MDT (I)

Jean A. Riley
Environmental Services
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

Dear Ms. Riley

This responds to your letter dated September 17, 2002, regarding a proposal by the Montana Department of Transportation (Department) to reconstruct a 72-kilometer portion of U.S. Highway 2 in Hill and Blaine counties, Montana (U.S. 2 Havre to Fort Belknap EIS; PLH-TCSP 1-6(44)384; Control No. 4951). Your letter requested that the U.S. Fish and Wildlife Service (Service) be a Cooperating Agency with regards to this project and also requested a list of threatened and/or endangered (T/E) species in the vicinity of this proposed project. The Service received your letter on September 19, 2002.

The Service agrees to be a Cooperating Agency for this project. As such, the Service will review and respond to documents required for compliance with the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 et seq.), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

In accordance with section 7(c) of the Act, the Service has determined that the following threatened, endangered, proposed, and candidate species may be present in the project corridor:

<u>Listed Species</u>	Expected Occurrence
black-footed ferret (Mustela nigripes); endangered	potential occurrence within prairie dog complexes
bald eagle (Haliaeetus leucocephalus); threatened	spring or fall migrant
Proposed Species	
mountain plover (Charadrius montanus); proposed as threatened	potential occurrence in shortgrass prairie habitat

Candidate Species

black-tailed prairie dog (Cynomys ludovicianus)

possible occurrence in shortgrass prairie

Section 7(c) of the Act requires that Federal agencies proposing major construction activities complete a biological assessment to determine the effects of the proposed actions on listed and proposed species and use the biological assessment to determine whether formal consultation is required. A major construction activity is defined as "a construction project (or other undertaking having similar physical impacts) which is a major Federal action significantly affecting the quality of the human environment as referred to in the National Environmental Policy Act (NEPA)" (50 CFR Part 402). If a biological assessment is not required (i.e., all other actions), the Federal agency is still required to review their proposed activities to determine whether listed species may be affected. If such a determination is made, formal consultation with the Service is required.

For those actions wherein a biological assessment is required, the assessment should be completed within 180 days of initiation. This time frame can be extended by mutual agreement between the Federal agency or its designated non-Federal representative and the Service. If an assessment is not initiated within 90 days, this list of T/E species should be verified with the Service prior to initiation of the assessment. The biological assessment may be undertaken as part of the Federal agency's compliance of section 102 of NEPA and incorporated into the NEPA documents. We recommend that biological assessments include the following:

- 1 A description of the project.
- 2 A description of the specific area that may be affected by the action.
- 3. The current status, habitat use, and behavior of T/E species in the project area.
- 4. Discussion of the methods used to determine the information in Item 3.
- An analysis of the affects of the action on listed species and proposed species and their habitats, including an analysis of any cumulative effects.
- 6 Coordination/mitigation measures that will reduce/eliminate adverse impacts to T/E species.
 - The expected status of T/E species in the future (short and long term) during and after project completion.
- A determination of "is likely to adversely affect" or "is not likely to adversely affect" for listed species.
- 9 A determination of "is likely to jeopardize" or "is not likely to jeopardize" for proposed species.
- 10 Citation of literature and personal contacts used in developing the assessment.

If it is determined that a proposed program or project "is likely to adversely affect" any listed species, formal consultation should be initiated with this office. If it is concluded that the project "is not likely to adversely affect" listed species, the Service should be asked to review the assessment and concur with the determination of no adverse effect.

Pursuant to section 7(a) (4) of the Act, if it is determined that any proposed species may be jeopardized, the Federal agency should initiate a conference with the Service to discuss conservation measures for those species. For more information regarding species of concern occurring in the project area, including proposed and candidate species, please contact the Montana Natural Heritage Program, 1515 East 6th Ave., Helena, 59601, (406)444-3009.

A Federal agency may designate a non-Federal representative to conduct informal consultation or prepare biological assessments. However, the ultimate responsibility for Section 7 compliance remains with the Federal agency and written notice should be provided to the Service upon such a designation. We recommend that Federal agencies provide their non-Federal representatives with proper guidance and oversight during preparation of biological assessments and evaluation of potential impacts to listed species.

Section 7(d) of the Act requires that the Federal agency and permit/applicant shall not make any irreversible or irretrievable commitment of resources which would preclude the formulation of reasonable and prudent alternatives until consultation on listed species is completed.

Power lines in the vicinity, if not properly constructed, could pose electrocution hazards for bald eagles. To conserve eagles and other large raptors protected by Federal law, we urge that any power lines that need to be modified or reconstructed as a result of this project be raptor-proofed utilizing criteria and techniques similar to those outlined in the publication, "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996." A copy may be obtained from: Jim Fitzpatrick, Treasurer, Carpenter Nature Center, 12805 St. Croix Trail South, Hastings, MN 55033. The use of such techniques would likely be most beneficial adjacent to expected raptor foraging areas (i.e., stream crossings, wetlands that support populations of waterfowl, or upland areas that support high populations of raptor prey species).

Your letter does not mention whether wetlands might be impacted by the proposed highway and bridge reconstruction project. If so, Corps of Engineers (Corps) Section 404 permits may eventually be required. In that event, depending on permit type and other factors, the Service may be required to review permit applications and will recommend any protection or mitigation measures to the Corps as may appear reasonable and prudent based on the information available at that time.

The Service recommends that the Department strongly consider clear-spanning the streams crossed by this project, if possible, to avoid placement of structures in stream channels. Bridge abutments and piers, and their attendant riprap, that are located in the stream channel or encroach upon it can constrict flows, increase erosion and affect bedload movement both up and down stream of the structure, resulting in significant effects to the physical, chemical and biological dynamics of the stream and its associated aquatic resources. If instream structures are proposed, the Service recommends that the direct, indirect and cumulative impacts of those structures be analyzed, along with future activities related to scour protection and bank stabilization that are often required to maintain such structures. The Service encourages the implementation of measures designed to offset these impacts, such as the construction of additional bridge length as a means of ameliorating long-term stream corridor impacts.

Your letter also requested information regarding any Service lands that may be affected pursuant to Section 4(f) of the 1966 Department of Transportation Act (49 U.S.C. 303). We are not aware of any Service-owned or administered lands, or other resources protected under S.4(f) that may occur near, or be impacted by, the proposed project.

The Service acknowledges the Department's efforts to minimize impacts to fish and wildlife resources that may result from the construction, use, and maintenance of Montana's transportation systems. If you have questions regarding this letter, please contact Mr. Scott Jackson, of my staff, at (406)449-5225, extension 201.

Sincerely, R. Mark Wilson

R. Mark Wilson Field Supervisor



DEPARTMENT OF HEAL... & HUMAN SERVICES

MAIL ROUTE

Control

August 14, 2002

Mr. Dale Paulson Program Development Engineer **FHWA Montana Division** 2880 Skyway Drive Helena, Montana 59602

FILE COPY

Dear Mr. Paulson:

Centers for Disease and Prevention 30 Preconst Engr 30 Assistant 30 Office Mar 31 Safety Mgmt. 32 Road Design 33 Environment 34 Hydraulics 35 Survey & Mapping 36 Traffic Eng 39 Consultant Dsn. 9ات

We understand from Federal Register Notice 67 FR 51316 dated Aug. 7, 2002 that the Federal Highway Administration will prepare an Environmental Impact Statement for improvements to US Highway 2, in Hill and Blaine Counties, Montana. The intent of the proposed project is to replace the aging US Highway 2 with an efficient and safe highway that will be attractive to the needs of agriculture, industry, commerce and tourism in the area. The proposed improvement corridor is between Havre and Fort Belknap, a distance of approximately 72km (45 miles), and includes the towns of Lohman, Chinook, Zurich, and Harlem. We are responding on behalf of the Department of Health and Human Services (DHHS), U.S. Public Health Service.

While we have no project specific comments to offer at this time, we do recommend that the topics listed below be considered during the NEPA process along with other necessary topics, and addressed if appropriate. Mitigation plans which are protective of the environment and public health should be described in the EIS wherever warranted.

AREAS OF POTENTIAL PUBLIC HEALTH CONCERN:

I. Air Quality

- dust control measures during project construction, and potential releases of air toxins potential process air emissions after project completion
- compliance with air quality standards

II. Water Quality/Quantity

- special consideration to private and public potable water supply, including ground and surface water resources
- compliance with water quality and waste water treatment standards
- ground and surface water contamination (e.g. runoff and erosion control)
- body contact recreation

III. Wetlands and Flood Plains

- potential contamination of underlying aquifers
- construction within flood plains which may endanger human health
- contamination of the food chain

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FHWA MONTANA DIVISION

Page 2 -Mr. Dale Paulson

IV. Hazardous Materials/Wastes

- identification and characterization of hazardous/contaminated sites
- · safety plans/procedures, including use of pesticides/herbicides; worker training
- spill prevention, containment, and countermeasures plan

V. Non-Hazardous Solid Waste/Other Materials

any unusual effects associated with solid waste disposal should be considered

VI. Noise

• identify projected elevated noise levels and sensitive receptors (i.e. residential, schools, hospitals) and appropriate mitigation plans during and after construction

VII. Occupational Health and Safety

· compliance with appropriate criteria and guidelines to ensure worker safety and health

VIII. Land Use and Housing

- special consideration and appropriate mitigation for necessary relocation and other potential adverse impacts to residential areas, community cohesion, community services
- · demographic special considerations (e.g. hospitals, nursing homes, day care centers, schools)
- consideration of beneficial and adverse long-term land use impacts, including the potential influx of
 people into the area as a result of a project and associated impacts
- · potential impacts upon vector control should be considered

IX. Environmental Justice

federal requirements emphasize the issue of environmental justice to ensure equitable environmental
protection regardless of race, ethnicity, economic status or community, so that no segment of the
population bears a disproportionate share of the consequences of environmental pollution attributable
to a proposed project. (Executive Order 12898)

While this is not intended to be an exhaustive list of possible impact topics, it provides a guide for typical areas of potential public health concern which may be applicable to this project.

Please furnish us with one copy of the draft document when it becomes available for review. Thank you in advance for your consideration.

Sincerely,

Paul Joe, DO, MPH

PaulJoe

Medical Officer

National Center for Environmental Health (F16) Centers for Disease Control & Prevention

07:10am Aug-24-04



United States Department of the Interior

Washington, DC 20240





ER 04/469

AUG 1 9 2004

Mr. Karl Helvick Consultant Project Engineer Montana Department of Transportation 2701 Prospect Avenue Post Office Box 201001 Helena. Montana 59620-1001

Dear Mr. Helvick

Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS) and Section 4(f) Evaluation for US-2 Reconstruction, Havre to Fort Belknap in Hill and Blaine Counties, Montana. The Department of the Interior has reviewed the document and offers the following comments.

We recognize and appreciate the extent of public and agency participation initiated by the Federal Highway Administration and the Montana Department of Transportation with affected parties on this project, including various Federal, state, local agencies and organizations, and the general public. We are especially pleased that tribal consultations and an ethnographic resource study were conducted for this project, as well as a complete cultural resource inventory with Section 106 consultation. We encourage continued coordination with the Montana State Historic Preservation Office throughout the remaining environmental analysis and project implementation.

Because a Preferred Alternative was not selected for the Section 4(f) Evaluation, we cannot concur at this time that there is no feasible or prudent alternative to the Preferred Alternative selected in the document, or that all measures have been taken to minimize harm to the affected resources. We understand that both the Draft Environmental Impact Statement and Section 4(f) Evaluation will be updated following selection of a Preferred Alternative, at which time we look forward to reviewing the updates.

For further information concerning cultural resource matters, please contact Ms. Cheryl Eckhardt, National Park Service, P.O. Box 25287, Denver, Colorado, 80225, telephone. 303/969-2851.

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Willie R. Taylor

Director, Office of Environmental Policy and Compliance



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8, MONTANA OFFICE FEDERAL BUILDING, 10 West 15th Street, Suite 3200 HELENA, MONTANA 59626

Consultant Design

Date Club Consultant Plans Eng
Design Supervisor
CTEP Engineer

H.O. V. V. I. C.

Ref: 8MO

August 5, 2004

Mr. Karl Helvik, P.E. Consultant Project Engineer Montana Dept. of Transportation 2701 Prospect Ave., P.O. Box 201001 Helena, MT 59620-1001

Re:

EPA Comments on Draft Environmental Impact Statement for the US 2, Havre to Fort Belknap, Hill and Blaine Counties, Montana

Dear Mr. Helvik:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Draft Environmental Impact Statement (DEIS) for the US 2, Havre to Fort Belknap, Hill and Blaine Counties, Montana project. The EPA reviews EISs in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. The EPA's comments include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document.

The DEIS indicates that the Federal Highway Administration (FHWA) prefers the Improved Two-Lane with Passing Lanes Alternative, while the Montana Dept. of Transportation's (MDT) preferred alternative is a four-lane facility. The EPA believes that the DEIS clearly shows that existing and future traffic volumes do not warrant a four-lane facility, and that the two-lane highway alternatives fulfill the project purpose and need, and that the two-lane alternatives have fewer adverse environmental impacts than the four-lane alternatives. In addition, the two-lane alternatives are substantially less costly, and an economic analysis referenced in the DEIS reports that capacity improvements to U.S. 2 are unlikely to induce development, and none of the alternatives would create substantial growth in the economy of the area. The four-lane alternatives, therefore, would offer no improvement to the regions economy and potential for future growth over the improved two-lane alternatives.

12:48pm

The EPA would have serious concerns regarding the selection of a four-lane alternative to improve U.S. Highway 2 when it is clear that a four-lane highway is not necessary to meet existing and future traffic volumes, and would result in additional adverse environmental impacts. It is also clear that the four-lane alternatives would cost significantly more to build, and offer no improvement to the regions economy and potential for future growth over the improved two-lane alternatives. Our more detailed comments (see enclosed) include additional information and discussion demonstrating that a two-lane alternative should be preferred over a four-lane alternative.

The DEIS reports that 43% of all crashes in the project area have occurred with a wild animal, and indicates that the public stated that deer are the primary cause of accidents along the highway. While we agree that increased sight distance with proposed clear zone improvements would help drivers avoid wildlife and may decrease animal related accidents, we believe the accident history shows there is a need to develop additional road improvements that will deter wildlife crossing and/or decrease wildlife-vehicle collisions (e.g., particularly in the Harlem West segment where 73% of all crashes involve wildlife vehicle collisions). Since wildlife are attracted to and follow drainages in the corridor, we recommend that bridge structures be considered for wildlife passage in areas where there is high wildlife use (i.e., assure that bridges are wide enough to span upland areas as well as wetted areas to enable movement for wildlife, and use fencing in appropriate locations to help direct wildlife to use bridges under the roadway for crossings).

We also note that it is important that impaired waters on Montana's 303(d) list (i.e., Milk River and Battle Creek) are not further degraded, and that proposed highway improvement activities be consistent with Total Maximum Daily Loads (TMDLs) and water quality restoration plans for these impaired waters. Riparian degradation and siltation are listed among the probable causes of water quality impairment in Battle Creek Efforts should be made to avoid worsening riparian degradation and siltation in Battle Creek, and if riparian degradation and siltation may occur, additional actions should be included with the project to compensate for such impacts (i.e., control existing sources of pollution to offset pollutant addition from road construction so that no worsening of water quality occurs).

It is not clear how riparian degradation and siltation of Battle Creek would be mitigated above and beyond typical erosion control activities, and/or if activities are proposed to avoid or compensate for potential degradation of Battle Creek. Mitigation measures, BMPs or restoration actions that will avoid or compensate for riparian degradation and siltation of Battle Creek during road construction should be more specifically identified. In addition, we recommend that the MDT/FHWA contact the Montana Department of Environmental Quality (i.e., Carole Mackin at 444-7425 and Rebecca Ridenour at 444-0715 in Helena) to ensure MDEQ concurrence on, and coordination of proposed activities with the MDEQ's TMDL development for impaired 303(d) listed water bodies.

We also recommend that a detailed Wetland Mitigation Plan providing for adequate replacement of lost wetland functions and values be prepared when a final preferred alternative is identified. This Plan should be approved by the appropriate agencies before implementation of

the proposed project. We recommend that the Wetland Mitigation Plan contain a statement of goals, a monitoring plan, long-term management/protection objectives and a commitment to conduct additional work, if required, to meet the goals of the Plan. We encourage inclusion of a summary or outline of the Wetland Mitigation Plan in the FEIS (perhaps as an appendix), and encourage consultation with the Montana Interagency Highway Wetlands Group for wetland mitigation efforts to facilitate interagency agreement on the proposed mitigation plan for replacement of wetland functions and values.

We are enclosing our additional and/or more detailed comments, questions, and concerns regarding this DEIS for your review and consideration. Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the U.S. 2 Havre to Fort Belknap DEIS has been rated as Category EC-2 (Environmental Concerns - Insufficient Information). A copy of EPA's rating criteria is attached.

Our primary environmental concerns regard the MDT's preference for a four-lane highway alternative to improve U.S. Highway 2 when it is clear that a four-lane highway is not necessary to meet existing and future traffic volumes, and would result in additional adverse environmental impacts. The four-lane highway would also cost significantly more to build, and would not create substantial growth in the economy. EPA also recommends measures to reduce wildlife-vehicle accidents, and we believe that mitigation measures, BMPs or restoration actions that will avoid or compensate for riparian degradation and siltation of 303(d) listed Battle Creek during road construction should be more specifically identified. We recommend consultation with the MDEQ to assure concurrence on proposed highway improvements with TMDL development for the Milk River and Battle Creek. We also recommend development of a detailed wetland mitigation plan.

If we may provide further explanation of our concerns please contact Mr. Steve Potts of my staff in Helena at (406) 457-5022 or in Missoula at (406) 329-3313 or via e-mail at potts stephen@epa.gov. Thank you for your consideration.

Sincerely,

Director

Montana Office

Enclosures

CC Larry Svoboda/Julia Johnson, EPA, 8EPA-N, Denver Todd Tillinger, COE, Helena Dale Paulson, Program Development Engineer, FHWA, Helena

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Scott Jackson, USFWS, Helena Robert Ray/Carole Mackin/Jeff Ryan, MDEQ, Helena

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Brief Project Overview:

The Montana Dept. of Transportation (MDT) and Federal Highway Administration (FHWA) have evaluated proposed improvements to U.S. Highway 2 from Havre to Fort Belknap in Hill and Blaine Counties in the Milk River valley in north central Montana (a distance of 44.9 miles). The project purpose and need is to provide an efficient and safe highway that will support economic vitality, reduce roadway deficiencies, and improve safety and traffic operations. The existing roadway has substandard shoulders, inadequate clear zones, steep side slopes, and inadequate distances between the highway and railroad crossings. U.S. 2 is the only continuous east-west roadway in the area and serves as the only link between the communities of Havre, Lohman, Chinook, Zurich, Harlem, and Fort Belknap.

The DEIS evaluates five alternatives including no action or the no build alternative involving no improvements to U.S. 2, which provides a baseline for comparison with the build alternatives. Under all build alternatives the highway shifts to the south through Lohman to provide increased distances between the railroad and the highway at the railroad crossing.

The Improved Two-Lane Alternative would provide an improved two-lane highway in rural segments of the project corridor, with 12 foot travel lanes and 8 foot shoulders (total paved width of 40 feet). Left turn passing lanes would be added at some intersections. Within communities the roadway section would vary to accommodate local traffic operations and minimize environmental and social impacts. Estimated costs are \$69.7 million.

The Improved Two-Lane with Passing Lanes Alternative would provide the same improved two-lane highway in as the Improved Two-Lane Alternative, but would add an intermittent passing lane in rural portions of the corridor (paved width of 52 feet where passing lanes proposed). Estimated costs are \$73.4 million.

The Four-Lane Undivided Alternative would provide a four-lane undivided highway without a median between opposing travel lanes (64 feet paved width). Left turn passing lanes would be added at some intersections. Within communities the roadway section would vary to accommodate local traffic operations and minimize environmental and social impacts. Estimated costs are \$94.5 million.

The Four-Lane Divided Alternative would provide a divided four-lane highway in tural portions of the corridor with four 12 foot travel lanes and 8 foot outside shoulders, and a 28 foot landscaped median with 4 foot inside shoulders (total width of 100 feet). Within communities the roadway section would vary to accommodate local traffic operations and minimize environmental and social impacts. Estimated costs are \$106.8 million.

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Comments:

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Alternatives

The DEIS indicates that the Federal Highway Administration (FHWA) prefers the Improved Two-Lane with Passing Lanes Alternative (page ES-4), while the Montana Dept. of Transportation's (MDT) preferred alternative is a four-lane facility (page ES-3). The EPA believes that the DEIS clearly shows that existing and future traffic volumes do not warrant a four-lane facility (page ES-41), and that the two-lane highway alternatives fulfill the project purpose and need (page ES-4), and have have fewer adverse environmental impacts that the four-lane alternatives (Table ES-1). In addition the two-lane alternatives are substantially less costly (page ES-23), and an economic study referenced in the DEIS (ICF Consulting 2003, page 4-29) indicates that capacity improvements to U.S. 2 are unlikely to induce development, and none of the alternatives would create substantial growth in the economy.

The EPA would have serious concerns regarding the selection of a four-lane alternative to improve U.S. Highway 2, when it is clear that a four-lane highway is not necessary to meet existing and future traffic volumes; would result in additional adverse environmental impacts; would cost the significantly more to build; and would not create substantial growth in the economy of the area. Additional information in the DEIS demonstrating that a two-lane alternative should be preferred over a four-lane alternative includes the following:

- The DEIS states that an economic study conducted for this project concluded that capacity improvements to US 2 are unlikely to induce development, and that safety and operational improvements could help sustain the regions economy and ensure the potential for future growth (page ES-8). It is further stated that none of the alternatives are likely to create substantial growth in the major sectors of the economy, since growth is dependent on many factors other than the condition of US 2 (e.g., distance to markets, lack of capital, and market demand constraints). Thus, the four-lane alternatives would offer no improvement to the regions economy and potential for future growth over the improved two-lane alternatives. This seems to invalidate the premise of Senate Bill 3 that construction of four-lane highway along US 2 would induce economic development and growth in the region.
- Impacts to wetlands are greater with the four-lane alternatives (the Improved Two-Lane impacts 9.7 total acres of wetlands, with 5.9 acres of jurisdictional wetlands and 3.8 acres of non-jurisdictional wetlands; the Improved Two-Lane with Passing Lanes impacts 10.2 total acres of wetlands, with 6.4 acres of jurisdictional wetlands and 3.8 acres of non-jurisdictional wetlands; the Four-Lane Undivided impacts 12.7 total acres of wetlands, with 7.9 acres of jurisdictional wetlands and

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- 4.8 acres of non-jurisdictional wetlands; and the Four-Lane Divided impacts 17.3 total acres of wetlands, with 9.7 acres of jurisdictional wetlands and 7.6 acres of non-jurisdictional wetlands; page ES-25). Clean Water Act Section 404 Dredge and Fill Permit rules and policies involving placement of fill material in waters of the U.S., including wetlands, require that adverse impacts to aquatic resources be avoided as much as possible, and the least damaging practicable alternative to aquatic resources be permitted so long as that alternative does not have other significant adverse environmental consequences (40 CFR 230.10(a)).
- ₽ Additional longitudinal encroachments upon the Milk River floodplain beyond the existing 12.4 miles of floodplain encroachment are greatest with the four-lane alternatives (the Improved Two-Lane impacts an additional 5.6 miles of floodplain; the Improved Two-Lane with Passing Lanes impacts an additional 6.2 miles of floodplain; the Four-Lane Undivided impacts an additional 7.0 miles of floodplain; and the Four-Lane Divided impacts an additional 11. miles of floodplain; pages ES-25, 4-104).
- 4 Business displacements and impacts to structures and businesses in Chinook would be greater with the four-lane alternatives, including impacts to eight operating businesses, with the Four-Lane Undivided Alternative that would change the built environment resulting in need for relocation and potential loss of community streetscape and visual identity (page ES-9), and separation of north Chinook from the main town area (page 4-27); and impacts to fourteen operating businesses with the Four-Lane Divided Alternative that would result in virtual loss of the existing community streetscape and visual identity through Chinook with extensive impacts to jobs, availability of services, and land/community cohesion if the businesses did not or could not relocate.
- ⇒ The four-lane alternatives affect greater levels of prime farmland and farmland of statewide importance (the Improved Two-Lane impacts 85.8 total farmland acres; the Improved Two-Lane with Passing Lanes impacts 89.6 total farmland acres; the Four-Lane Undivided impacts 95.6 total farmland acres; and the Four-Lane Divided impacts 128.1 total farmland acres; page ES-18).
- = The four-lane alternatives would also adversely affect additional historic properties (i.e., 5 or 6 historic properties adversely affected by the four-lane alternatives vs. 3 historic properties adversely affected by the two-lane alternatives (page ES-13).
- 4 The four-lane alternatives would result in greater impacts to vegetation due to wider roadway sections, including greater impacts to terrestrial wildlife habitat and greater loss of riparian vegetation (pages ES-24, ES-25).

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 - ₹) The four-lane alternatives would have more extensive disturbances to soils contaminated from leaking underground storage tanks in Chinook and at the Diamond Asphalt Refinery site (page ES-26).
 - **⇒** The four lane alternatives are considerably more costly to build (i.e., \$94.5 million for Four-Lane Undivided, and \$106.8 million for Four-Lane Divided, and \$69.7 million for the Improved Two-Lane, and \$73.4 million for Improved Two-Lane with Passing Lanes, page ES-23). Thus, additional costs to build an four lane road (that traffic projections show is unwarranted) runs from \$21.1 million to \$37.1 million dollars more than the costs of constructing the two-lane alternatives. Procurement of the additional funding to implement the four-lane alternatives would also take more time, which could delay construction of needed roadway improvements (page 4-64).
 - While all build alternatives result in a negative net benefit (benefits lower than ➾ costs), the benefit-cost ratio is worst for the four-lane alternatives, since benefits are relatively small and far outweighed by the higher costs of building the fourlane alternatives (page 4-60).
- Thank you for including the discussion of Senate Bill 3 (MCA 60-2-133) which directs 2. MDT to construct a four-lane facility along US 2 in the DEIS (pages ES-12, 3-11). We understand the two-lane alternatives comply with this law if MDT is unable to obtain additional federal funding for a four-lane alternative that does not require state matching funds; and that a special appropriation from Congress (that would require no state match) would be needed to fund a four-lane project on US 2. This information is very helpful to allow understanding of the effects of this legislation on State decision making in regard to this project.

As noted above, we see little information in the DEIS that provides rationale to support the selection of a four-lane US 2 alternative over a two-lane alternative. We also note that the ICF Consulting 2003 economic study (page 4-29) reporting that none of the alternatives would create substantial growth in the economy, brings into question the premise of Senate Bill 3 that a four-lane highway on U.S. 2 would increase tourism and spur economic development in the area.

3 The average annual daily traffic (ADT) growth rate between 2007 and 2027 is estimated to be 1 to 2 percent per year (page 4-11), with an increase of only 760 vehicles per day estimated west of Chinook, and 1,250 vehicles per day estimated east of Chinook, over this 20 year period. It is also stated that these are considered "aggressive" growth rates since historic traffic growth rates in the project area are stagnant and populations trends are declining. The projected 2027 peak hour level of service (LOS) is still a B even under the no build alternative (Table 4.3). This indicates an acceptable LOS representing reasonably free flow of traffic under the no build alternative, providing evidence that

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there are likely other highways in Montana with a greater need for improvements in traffic operations. This also clearly shows that building a four-lane highway is totally unnecessary from a traffic and volume standpoint.

- Thank you for including the discussion of roadway deficiencies, safety/crash history analysis, and traffic operations in Chapter 1. The safety/crash history analysis reports that the accident rate for the project area of U.S. 2 is 1.51 compared to a 1.36 statewide average (page 1-18), however, the all vehicle severity index and severity rate and the truck accident rate, severity index and severity rate are lower for this segment of U.S. 2 than the statewide average for rural highways (Table 1.5). This indicates that in some respects the U.S. 2 corridor may be considered safer in comparison to other rural highways in Montana. This safety/crash history analysis may lead one to believe that there are other highways in Montana with a greater need for safety improvements in comparison to this segment of U.S. 2.
- 5. The DEIS states that 43% of all crashes in the five year crash study period occurred with a wild animal (73% of all crashes in the Harlem West segment occurred with a wild animal, pages 1-18, 1-20), and that this confirmed public statements that deer are the primary cause of accidents along the highway. We believe it is important, therefore, that adequate mitigation measures be incorporated into the project to reduce risks of wild animal crashes.

While we agree that increased sight distance with clear zone improvements would help drivers avoid crossing wildlife and may decrease animal related accidents, we believe the accident history shows there is a need to develop additional road improvements that will deter wildlife crossing and/or decrease wildlife-vehicle collisions (e.g., particularly in the Harlem West segment where 73% of all crashes involve wildlife vehicle collisions). The DEIS states that wildlife is attracted to and follow the many drainages in the corridor (page 3-6), therefore, bridge structures for wildlife passage should be considered in areas where there is high wildlife use and history of animal-vehicle collisions.

We recommend that the EIS include commitments to use replacement or modification of existing or proposed bridges as opportunities to include design provisions to facilitate safer wildlife crossing and reduce wildlife-vehicle accidents (e.g., assuring that bridges are wide enough to span upland area as well as wetted areas to enable movement for terrestrial wildlife species). We also recommend consideration of using tall woven wire fencing in appropriate locations to help direct wildlife to use bridges under the roadway for crossings. While is stated that locations of wild animal related crashes are dispersed throughout all segments of the corridor (page 4-4), there are obviously areas such as the Harlem West segment where risks of animal-vehicle collisions are greater. Table 3.2 (page 3-7) and the associated narrative shows areas with higher animal related accident rates (e.g., five wild animal crashes occurred within 1 mile of RP 394.0, and 10 wild animal crashes occurred within 2 miles of RP 398.0). Such information may help focus

the location of potential additional design measures to reduce risks of animal-vehicle collisions.

The DEIS states that impacts to Montana Species of Special Concern, urban and rural 6. wildlife, amphibians and reptiles for the four-lane alternatives would be similar to the improved two-lane alternative (page 4-96). Documentation of analyses to support this finding should be provided, since it would appear to us that a wider four-lane highway, particularly a divided four-lane highway, will have a wider crossing distance for terrestrial wildlife to contend with and could be a greater barrier to species movement across the highway. The four-lane highway alternatives appear to have a higher potential to increase wildlife fragmentation and reduce wildlife connectivity. The potential impacts on wildlife of the four-lane alternatives should be evaluated and discussed further.

Water Resources & Wetlands

Several waterbodies in the project area were listed by the State of Montana on the Clean 7. Water Act Section 303(d) list of impaired waters (pages 3-47, 3-48). These include the Milk River (MT40J001_010), Battle Creek (MT40J004_010), Lodge Creek (MT40J003-1) and Little Box Elder Creek (MT40J002-3), which were all listed on Montana's 1996 list of impaired waters in need of TMDL development. More recent reassessments recognized that insufficient data was available for Lodge Creek and Little Box Elder Creek to assess impairments of beneficial uses (2002 list and draft 2004 303(d) lists).

The DEIS indicates that none of the build alternatives are likely to adversely affect 303(d) listed waters (page 4-79), although it is stated that loss of riparian vegetation would occur at Battle Creek (page 4-97), and removal of riparian vegetation at Battle Creek could exacerbate riparian degradation and siltation of the creek (page 4-80). The DEIS also states that these impacts would be mitigated through design to have minimal long-term water quality impacts (page 4-80). The mitigation section indicates that the Storm Water Pollution Prevention Plan (SWPPP), requiring identification of BMPs to control erosion and stormwater runoff, and the provision that no unnecessary operation of equipment occur within the channels of creeks and rivers, are the primary means of mitigating water quality impacts (4-120). It is also stated that revegetation of stream banks will be considered during final design. (page 4-83).

We are pleased that MDT will incorporate a Storm Water Pollution Prevention Plan (SWPPP) and BMPs into the construction project. It will be important to reduce and control highway runoff, sedimentation and pollutant loading, as well as address other potential impacts to water quality, wetlands and riparian areas with a comprehensive SWPPP and BMPs. Roadway construction, operation, and maintenance can impact streams, wetlands and riparian areas from runoff, disruption of drainage patterns, stockpiling of materials in staging areas, maintenance of construction and maintenance equipment, and snow plowing and sanding of roads or use of salt and deicers.

It is important that impaired waters on Montana's 303(d) list are not further degraded, and that proposed highway improvement activities are consistent with TMDL development and water quality restoration plans. Riparian degradation and siltation are listed among the probable causes of water quality impairment in Battle Creek, and therefore, special care needs to be taken to avoid and minimize impacts to riparian vegetation along Battle Creek. Efforts should be made to avoid worsening riparian degradation and siltation in Battle Creek, and if riparian degradation and siltation may occur, additional actions should be included with the project to compensate for such impacts (i.e., control existing sources of pollution to offset pollutant addition from road construction, so that no worsening of water quality occurs).

It is not clear how riparian degradation and siltation of Battle Creek would be mitigated above and beyond typical erosion control activities, and/or if activities are proposed to avoid or compensate for potential degradation of Battle Creek (i.e., riparian restoration and/or reduction of existing siltation sources to Battle Creek as a means to compensate or offset riparian loss and sediment production that may occur during road construction). We believe that mitigation measures, BMPs or restoration actions that will avoid or compensate for riparian degradation and siltation of Battle Creek during road construction should be more specifically identified. We also recommend that the MDT/FHWA contact the Montana Department of Environmental Quality (i.e., Carole Mackin at 444-7425 and Rebecca Ridenour at 444-0715 in Helena) to ensure MDEQ concurrence on, and coordination of proposed activities with the MDEQ's TMDL development for impaired 303(d) listed water bodies.

We also support the conduct of watershed or aquatic habitat restoration activities to compensate for past impacts of highways to aquatic resources, particularly in watersheds with 303(d) listed waters where highways may have contributed to aquatic impairments through past channelization, riverine or floodplain encroachments, sediment delivery during construction, and other activities that may have affected channel stability, water quality, aquatic habitat, and designated waterbody uses.

We note that there are 12.4 miles of existing longitudinal encroachments of US 2 into the Milk River floodplain, and that proposed alternatives would result in additional floodplain encroachment (the Improved Two-Lane impacts an additional 5.6 miles of floodplain; the Improved Two-Lane with Passing Lanes impacts an additional 6.2 miles of floodplain; the Four-Lane Undivided impacts an additional 7.0 miles of floodplain; and the Four-Lane Divided impacts an additional 11. miles of floodplain; pages ES-25, 4-104). It is important to restore and preserve the natural and beneficial effects of floodplains, and avoid and/or minimize additional encroachments into floodplains.

12:50pm

It would be appropriate for MDT to work with the MDEQ as it develops Total Maximum Daily Loads (TMDLs) and associated water quality restoration plans for 303(d) listed streams in the project area to seck opportunities for water quality restoration (e.g., contact Robert Ray at 444-5319, Jeff Ryan at 444-4626, Carole Mackin at 444-7425, and/or Rebecca Ridenour of MDEQ at 444-0715).

8. There are 32 bridges within the project corridor (page 1-16), and 29 of these bridges are narrow and are recommended for replacement (i.e., it is our understanding that all but the Milk River bridge which is currently being replaced, and the Battle Creek bridge and Harlem Canal bridge will be replaced). The DEIS states that new structures would be designed to minimize disturbance to stream hydrology, banks and channel reshaping (page 4-107), although some in-channel construction work would be required that may increase erosion (page 4-81).

We recommend that bridge construction work be conducted during periods of low stream flow in late summer or early Fall, and avoid and minimize impacts on the stream channel during construction. Special care should be taken to avoid or minimize impacts to riparian vegetation as much as possible, particularly in 303(d) listed Battle Creek. It will also be important to assure that the bridge designs accommodate flood flows with no substantial changes to flood elevations, and bridge designs should match hydraulic traits of the natural stream, and provide for fish passage. We note that the Montana Dept. of Fish, Wildlife, & Parks (MDFWP) has emphasized the need for the bridge structures on Clear Creek and Red Rock Creek to provide for fish passage, and they also recommend correction of fish passage problems on the Clear Creek rubble darn immediately downstream from the railroad bridge (Appendix B). MDFWP also notes the need to avoid impacts to an outstanding fishing hole below the existing Milk River bridge.

Bedload transport should also be an important design criterion for all bridges (and culverts) to avoid sediment deposition above stream crossings or scour below stream crossings. We support provision of an adequate span on bridge crossings to minimize encroachment upon the river channel, riparian area, and floodplain. Size and configuration of bridges should reduce floodplain encroachment (e.g., construction of bridges on pilings, as opposed to fill, can reduce encroachment). Bridges or open bottom arch culverts that allow natural stream bed substrate and stream grade, and sufficient width and capacity to pass flood flows and bedload transport with minimal encroachment upon the river channel and riparian area are preferred. We also recommend that all culverts simulate the natural stream grade and substrate as much as possible.

As noted above, bridges with wide spans also afford opportunities for wildlife passage, and reduced wildlife-vehicle collisions.

9. The DEIS discloses that maintenance activities such as application of herbicides, mowing, and winter maintenance such as snowplowing and application of sand, salt, and

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chemical deicers have the potential to introduce sediment, materials and chemicals into streams (page 4-81). We agree, and note that snow plowing subsequent to sanding moves sand off the roadbed to the adjacent ditch line and fill slopes, filling depressions and ditches and widening shoulders, which can have adverse effects upon streams, wetlands, and riparian areas. The impacts of winter maintenance activities are more a matter of a long-term indirect and cumulative effects than any one incident.

We are pleased that BMPs for winter maintenance operations such as using mechanical brooms to pick up sand are identified (page 4-83). We recommend that sediment traps and vegetative filters near streams and wetlands also be used to capture sediment before it can enter streams and wetlands. Also, while we realize winter maintenance operations such as road sanding and snow plowing are important for winter highway safety it is important that maintenance crews be trained to minimize adverse impacts to streams and wetlands. We note that there is training available for road maintenance crews regarding conduct of road maintenance in a manner that protects streams and wetlands (contact, Montana Local/Tribal Technical Assistance Program at Montana State University, Steven J. Jenkins, P.E, at 406-994-6100 or 1-800-541-6671).

Thank you for including Tables 4-19 and 4-20 (pages 4-84, 4-85) and Appendix H summarizing impacts to jurisdictional and non-jurisdictional wetlands for each alternative, and a draft 404(b)(1) analysis in Appendix E. We are also pleased to see discussion of measures to avoid and minimize impacts to wetlands (page 4-88). We note that impacts to wetlands should include impacts associated with gravel mining or excavation of borrow material for road bed construction and with stockpiling of materials in staging areas and disposal of waste materials Excavation of borrow material to meet construction needs may also provide opportunities for wetland mitigation (i.e., wetland creation).

As noted earlier, Clean Water Act Section 404 Dredge and Fill Permit rules and policies involving placement of fill material in waters of the U.S., including wetlands, require that adverse impacts to aquatic resources be avoided as much as possible, and the least damaging practicable alternative to aquatic resources be permitted so long as that alternative does not have other significant adverse environmental consequences (40 CFR 230.10(a)).

In regard to permits the Army Corps of Engineers, U.S. Fish & Wildlife Service, EPA, Montana Dept. of Fish, Wildlife and Parks and Montana Dept. of Environmental Quality should all be contacted to assure that proper authorizations and permits are obtained prior to construction (e.g., 404 permits, 310 or 124 permits, short term turbidity exemptions, etc.,). We suggest contacting Todd Tillinger of the Corps of Engineers in Helena at 406-441-1375; Jeff Ryan of the MDEQ at 406-444-4626; and Scott Jackson of the USFWS in Helena at 406-449-5225, and Kristine Knutson of EPA at 406-457-5021.

EPA recommends consideration of a single 404 permit to cover the dredge and fill permitting for the entire project due to the numerous aquatic impacts. We feel this is preferred over issuance of a combination of numerous individual and nationwide permits, since it may allow for improved cumulative effects evaluation as well as to reduce paperwork and permit processing time, and assure that all necessary permits for dredge and fill activities can be obtained for the full project.

We are also pleased that wetland mitigation is being planned to mitigate unavoidable wetland losses, and that a potential wetland mitigation site has been identified northeast of Chinook, and that MDT is consulting with the COE regarding wetland replacement ratios and will coordinate with the Montana Interagency Wetlands Group and other appropriate agencies (page 4-90). The goal of wetland mitigation should be to replace the functions and values of lost wetlands in areas adjacent to or as close as possible to the area of wetlands loss. EPA/Corps policy has accepted acre-for-acre replacement of wetlands as a surrogate for replacement of functions and values when there is a lack of definitive information on functions and values, although adjustments may be necessary to reflect the expected degree of success of mitigation, and provide an adequate margin of safety (i.e., greater than acre-for-acre replacement is suggested when impacted wetlands have high function & value and likelihood of replacement is low).

When a final preferred alternative is identified in the FEIS, we recommend that a detailed Wetland Mitigation Plan providing for adequate replacement of lost wetland functions and value: be prepared. This Plan should be approved by the appropriate agencies before implementation of the proposed project. We recommend that the Plan contain a statement of goals, a monitoring plan, long-term management/protection objectives and a commitment to conduct additional work, if required, to meet the goals of the Plan. We encourage inclusion of a summary or outline of the Wetland Mitigation Plan in the FEIS (perhaps as an appendix).

Hazardous Materials

12. The DEIS states that the Fifteen Mile Creek bridge is likely to have been painted with lead-based paint (page 3-72). Is this bridge going to be torn down and replaced, or will the existing bridge be refurbished with lead based paint removed?

If lead based paint stays on the steel girders the girders may be disposed of as scrap metal (i.e., there is an exemption for construction debris coated with lead based paints). However, if the old lead based paint is to be removed from the bridge via scraping or sandblasting, the scraping or sandblasting residue will have to be characterized to determine if it is a regulated hazardous waste (most likely with Toxicity Characteristics Leaching Procedures or TCLP). Bridge construction techniques that capture sandblasting residue may be needed. We suggest that you contact Mr. Bob Reinke of the Montana Dept. of Environmental Quality in Helena at 406-444-1435 for further information on

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hazardous waste identification and disposal requirements. Mr. Bruce Cooper of EPA in Denver at (303) 312-6028 is an EPA contact on lead toxicity issues. We also note that OHSA requirements for worker protection should be followed.

- 13. The Diamond Asphalt refinery site on the State Superfund list (Montana Comprehensive Environmental Cleanup and Responsibility Act, CECRA) with tar contaminated soils and ground water contamination is within the project corridor (page 3-71). We suggest that you contact Ms. Denise Martin of the Montana Dept. of Environmental Quality in Helena at 406-444-5060 for further information on any requirements for road construction work that may impact CECRA sites.
- 14. The DEIS indicates that underground storage tanks along the project corridor may have potential for soil or ground water contamination (page 3-72). We suggest that you contact Ms. Andreas Hochhalter of the Montana Dept. of Environmental Quality in Helena at 406-444-1416 for further information on any requirements for road construction work that may impact underground storage tanks.
- Thank you for discussing abandoned commercial, agriculture and residential structures within the project area that may contain asbestos (page 3-73). We suggest that you contact Mr. John Podolinsky of the Montana Dept. of Environmental Quality in Helena at 406-444-2690 for further information on any requirements for road construction work that may impact structures that may contain asbestos. Mr. Robert Vick of EPA in Denver is a contact for asbestos toxicity issues at (303) 321-6204.

Air Quality

16. It is acknowledged that the amount of traffic on this corridor is very light and it is extremely unlikely that excessive air pollution would result from any of the alternatives, and the DEIS includes little analysis of air quality (4-71). However, we believe the EIS should include some analysis of air quality impacts. At a minimum the FEIS should include some qualitative impact assessments, and ideally some emissions analysis of the highway and any other air pollution sources should be completed. Emissions estimates can easily be estimated using EPA's Mobile model, and stationary sources estimated using any number of methods if no figures are available.

Compliance with the National Ambient Air Quality Standards (NAAQS) is required as noted in the DEIS (page 3-40). However, any impacts, or lack thereof, on air quality should be assessed and information available regarding the affected environment (current conditions) should be presented. Particular attention should be given to any areas along the corridor where people live near the highway (within 1000 feet) or where schools, hospitals, or elderly care facilities are near the facility. Residents and sensitive populations may be adversely impacted now or in the future and this should be discussed or the absence of these conditions should be noted. If you have questions regarding air

quality analysis please contact Mr. Jeffrey Kimes at EPA's Denver Office at 303-312-6445.

Environmental Justice

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17. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires that Federal agencies make environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations and low-income populations. The Executive Order makes clear that its provisions apply fully to Native Americans. We are pleased that the DEIS states that the Fort Belknap Reservation would not be adversely impacted by any build alternatives; there would be no right-of-way acquisition on tribal land; relocation impacts would not disproportionately affect minority communities of Fort Belknap or Harlem; and there would be no disproportionately high and adverse human health and environmental effect on minority populations due to relocations (pages 4-41, 4-42).

Weed Management

We suggest including a brief section on management of noxious weeds during construction in Section 4.4 (Construction Impacts). EPA supports control of noxious weeds, which are a great threat to biodiversity, and can out-compete native plants and produce a monoculture that has little or no plant species diversity or benefit to wildlife. Noxious weeds tend to gain a foothold where there are ground disturbances such as construction. We support plans to revegetate disturbed areas (reseed with native grass mix). Where no native, rapid cover seed source exists, we recommend using a grass mixture that does not include aggressive grasses such as smooth brome, thereby allowing native species to eventually prevail. Mr. Phil Johnson, Botanist, Montana Dept. of Transportation, in Helena at 406-444-7657, may be able to provide guidance on revegetation with native grasses.

From-MDT CONSULTANT DESIGN SECTION

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

- LO - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.
- EC - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.
- EO - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.
- EU - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

- Category 1 -- Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.
- Category 2 - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.
- Category 3 - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.
- * From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8, MONTANA OFFICE
RECEIVE DEDERAL BUILDING, 10 West 15th St. Suite 3200
HELENA, MONTANA 59626

OCT 2 9 2002

ENVIRONMENTAL

Ref: 8MO

October 24, 2002

Ms. Jean A. Riley, P.E., Montana Dept. of Transportation Engineering Section Supervisor Environmental Services 2701 Prospect Ave. Helena, Montana 59620-1001

Re: US 2 Havre to Fort Belknap EIS

Dear Ms. Riley:

This is in response to your letter dated September 17, 2002 requesting EPA to be a Cooperating Agency with the Montana Dept. of Transportation (MDOT) on the above referenced highway improvement project.

The EPA is interested in providing meaningful and early input on environmental issues of concern for this project. We are particularly interested in helping to ensure that proper river, wetland, and surface and ground water quality, hazardous waste issues, and air quality protection considerations are incorporated into the US 2 Havre to Fort Belknap project. The Agency, however, has resource limitations and other program commitments which will have to limit the degree and extent of EPA's participation in the EIS preparation process. These resource constraints and other program commitments make it difficult for me to agree to full fledged participation as a Cooperating Agency during the preparation of the EIS (see 40 CFR 1501.6(c)).

EPA will be reviewing and providing comment on the draft and final EIS's for this project in accordance with Section 309 of the Clean Air Act. The EPA provided EIS scoping comments for this project on August 28, 2002. Mr. Steve Potts, EPA Montana NEPA Coordinator, will be involved in EPA's review of the EIS, and will provide input and comment during EIS preparation as resources, workload, and schedules allow. We will try to review and comment upon preliminary EIS documents as much as our workload and schedules allow. We encourage you to send us the rough draft DEIS.

MASTER FILE COPY

I hope you understand our resource constraints. If you have any questions or would like to discuss this matter further please feel free to call me at (406) 457-5001. You may contact our NEPA Coordinator, Mr. Steve Potts at (406) 457-5022. Thank you for your consideration.

Sincerely,

Director

Montana Office

cc Cynthia Cody, EPA, 8EPR-N, Denver Karl Helvik, MDOT, Consultant Design, Helena Darrin Grenfell, FHWA, Helena



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8, MONTANA OFFICE FEDERAL BUILDING, 301 S. PARK, DRAWER 10096 **HELENA, MONTANA 59626-0096**

Ref: 8MO

August 28, 2002

Mr. Dale Paulson. Program Development Engineer Federal Highway Administration 2880 Skyway Drive Helena, Montana 59602

and

Mr. Carl Helvik Consultant Design Montana Dept. of Transportation 2701 Prospect Ave., P.O. Box 201001 Helena, MT 59620-1001

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PLH TCSP 1-6(44)384 CN4951 U.S. Highway 2 in Hill and Blaine Counties,

Re Montana, EIS

Dear Mr. Paulson and Mr. Helvik:

The U.S. Environmental Protection Agency (EPA) has reviewed the August 7, 2002 Federal Register Notice of Intent to prepare an Environmental Impact Statement for improvements to U.S. Highway 2 in Hill and Blaine Counties, Montana. The EPA reviews EISs in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. The EPA's comments will include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document. A summary of EPA's rating system is enclosed for your information.

We are enclosing our generic scoping comments for highway projects regarding issues that we believe are significant and should be evaluated in the highway EIS's. We have reviewed these scoping comments with regard to the brief information included in the Notice of Intent to help assure that they are relevant to this proposed project. Our experience has shown that when environmental concerns are thoroughly evaluated, the EIS is a more meaningful document. We appreciate the opportunity to review this project and provide scoping comments.

Thank you for your willingness to consider our comments at this stage of the process, and we hope they will be useful to you. If you have any questions you may contact Mr. Steve Potts of my staff in Helena at (406) 457-5022, or in Missoula at (406) 329-3313.

Sincerely,

John F. Wardell

Director

Montana Office

Enclosures

cc: Cindy Cody/Julia Johnson, EPA, 8EPR-N, Denver Todd Tillinger, Corps of Engineers, Helena

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action*

Environmental Impact of the Action

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- Category 3 - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

^{*} From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) SCOPING COMMENTS REGARDING HIGHWAY CONSTRUCTION ENVIRONMENTAL IMPACT STATEMENTS

The following comments are designed to provide a scope of issues, consistent with EPA's concerns, that will help in the creation of an environmental impact statement (EIS) for a highway improvement or development project. EPA appreciates the effort and resources that are committed to the preparation of documents of this nature and hopes to facilitate the process with these comments.

Each project analysis has its own unique scope, affected environment, past and proposed impacts, and will require its own level of analysis. For this reason, it is not our intent to provide either a checklist or standard format. Instead, we have attempted to present the primary issues we consider most relevant for this type of project as well as those items that have occasionally not been sufficiently addressed in similar analyses. Our goal of this discussion is to provide a basis for conducting the project analysis that results in a comprehensive assessment of the environmental effects, public disclosure of all foreseeable direct, indirect, and cumulative environmental impacts, and ultimately an improved decision-making process for selecting among the project alternatives. We sincerely hope that this will be beneficial to you and would appreciate any comments or questions regarding the issues discussed.

All activities and associated impacts related to project implementation must be disclosed. Clear, in-depth analysis of all relevant issues is a requirement in the creation of an EIS. Readability, a logical presentation of information, consistency between sections of the assessment and clarity are important to the reader. Statements made in the assessment should be substantiated either by data and analysis included in the document, or by reference to readily available supporting documents. When referencing documents or data not included in the NEPA document, a summary, matrix or data table displaying the information should be included to ensure the reader understands the quality and type of analysis actually completed. Environmental analysis documents frequently do not reflect the level of analysis and data compilation actually completed. Unless clearly documented, the reviewer is unable to establish whether data exists to support conclusions within the analysis.

If applicable, guiding documents that this analysis is tiered to, such as a programmatic Environmental Impact Statement, must be identified as well as any Standards and Guidelines or any project-specific requirements the controlling document prescribes for the type of proposal being analyzed. Additionally, more specific measures are often developed for individual alternatives to mitigate their particular impacts. These measures, as well as their anticipated effectiveness in accomplishing the planned purpose must also be disclosed.

When issued, EPA will review this EIS in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and the Clean Air Act. Specifically, Section 309 of

the Clean Air Act directs EPA to review and comment in writing on the environmental impacts associated with all federal draft and final EIS's.

NEPA Issues

1 Purpose and Need,

Documents must have a clear and logical Purpose and Need Statement, including adequate explanation of the need for the project and rationale for the establishment of the analysis area boundary. An appropriate analysis area should encompass the environment potentially affected by implementation of the alternatives, and should be able to serve as a baseline to compare projected impacts and for measuring actual effects. Highway projects are generally confined to the narrowly defined impact areas along the roadway. However, potential impacts to biodiversity, wildlife and fish, water quality, air quality, wetlands, stream drainage patterns, fragmentation and connectivity to other projects, and socioeconomics, may extend beyond such boundaries. An appropriate analysis area should encompass the potentially affected environment, and should be able to function as appropriate unit of analysis for projecting anticipated impacts and for measuring actual effects.

2. Alternatives

The EIS should support the purpose and need with a range of alternatives that will meet the objectives of the purpose and need and that address issues of concern. The alternatives should:

- a. Rigorously explore and objectively evaluate all reasonable alternatives that meet the purpose and need for the project.
- b Include reasonable alternatives not within the jurisdiction of the lead agency.
- c Include a no action alternative. The no action alternative should be constructed to cover a period at least equal to the time over which environmental effects will be evaluated.
- d Identify the agency's preferred alternative(s).
- e Include appropriate mitigation measures not already included in the proposed action or alternatives.

Also, if there are any proposed nearby actions or adjacent developments that are closely related to the proposed action it would be appropriate to analyze and discuss those related developments as a connected action (40 CFR 1508.25).

We recommend that tables, maps, and figures, be used to present and display specific features of alternatives so that features of the different alternatives can be understood and evaluated in a comparative manner. Modified alignments and varying design standards should be considered among the features of alternatives. It is helpful if the rationale for inclusion and location of features is also discussed. Such rationale enhances public understanding of the proposed project, better achieves the public disclosure purpose of the EIS, and better explains to the public the trade-offs involved in making transportation design decisions.

3. Existing Conditions

The EIS should succinctly describe the existing conditions (using watershed analysis where applicable) within the analysis area. The discussion of existing conditions should include but are not limited to a discussion of existing:

- 1 Water Resources
- 2. Air Quality (Present summary of monitoring data if available)
- Wildlife Effects
- 4 Noise

More detailed information on these topics follows in the "Resource Issues" section

4. Indirect Effects

The Council of Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA state that the environmental consequences section of an EIS should include: "Indirect effects and their significance (40 CFR 1502.16(b))." Indirect effects are defined as "...caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth-inducing effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." (40 CFR 1508.9(b)) The CEQ regulations also indicate that the EIS should include the "means to mitigate adverse environmental effects." (40 CFR 1502.16(h)) This provision applies to indirect effects as well as direct effects. Since the CEQ regulations require an analysis of indirect effects, the best time to identify these effects is now, when there is better opportunity to avoid, minimize or mitigate for them.

New highway construction that improves traffic flow and eliminates congestion could increase access and contribute to induced residential, commercial, and industrial growth. In many situations, one can argue that this type of growth is an inevitable, natural progression. However, *increased rates of growth* in these areas, caused by a highway project, constitute indirect effects and should be evaluated in the EIS. Induced residential, commercial, and industrial growth can adversely affect water quality, wetlands, wildlife habitat loss and fragmentation, urban sprawl, loss of rural character, farm land and other natural resources.

Roads can change land use and the face of the landscape, and contribute to the loss of the very values people seek in an area. Road projects often result in induced growth effects (sprawl), and stimulate increased use of privately owned vehicles and vehicle miles traveled. This in turn, leads to increased auto dependency. These types of indirect effects and appropriate mitigation measures should be fully disclosed in the EIS.

The following list represents examples of resources that could be affected by increased growth and urbanization induced by the proposed highway improvements:

water quality and hydrology of lakes, streams, and ground water; floodplains and wetlands; vegetation and wildlife; biodiversity; prime and unique farmlands; air quality; transportation; regional and community growth; and land use, property values, employment, and tax revenues.

Much of the mitigation for indirect effects is subject to regulation by the city/county in which the highway will be constructed. The EIS should serve the function of offering the city/county adequate notice of the foreseeable environmental consequences, thus providing the opportunity to plan and implement corrective measures, if needed, in a timely manner.

The EIS should identify the local land use controls that affect or regulate new development with regard to induced growth. If this analysis occurs before the highway project is completed, the city/county will be in a better position to effectively plan for future growth and develop mitigation measures for the impacts resulting from induced growth. Although the analysis of indirect effects should not rely solely on compliance with existing comprehensive land use plans. While comprehensive land use plans are an important component of the analysis of indirect effects, compliance with these plans could still result in adverse environmental effects.

The EPA publication "Transportation Planning in the Northwest; Framework for Sustainability" (see copy enclosed), suggests that sustainable solutions to transportation problems are more likely to be realized by focusing on longer-term approaches that provide increased transportation choices (multi-modal mobility), that bring people to the activities or the activities to the people (accessibility), that foster community vitality, environmental justice, and quality of life (livability), and that meet our social, economic, and ecological needs without compromising the ability of future generations of all species to do likewise (sustainability).

Transportation solutions that shift the focus from addressing only mobility in terms of level of service (speed), to solutions that focus on achieving multi-modal mobility, accessibility,

livability, and sustainability should be considered. A package of alternatives could include alternative transportation modes, trip reduction, land use adjustments, parking controls, pricing mechanisms, other incentives and/or disincentives, new route design or traffic circulation patterns, and more. We encourage planners and decision makers to think in terms of reducing transportation demand, and where demand exists, address the real and underlying transportation need: to move people and goods --- not necessarily cars.

5. Cumulative Effects

NEPA requires that cumulative impacts be addressed as a summary of the individual impacts of this and all other past, present, and "reasonably foreseeable" future plans and actions, regardless of what agency (Federal or non-Federal) or person undertakes such actions. The cumulative, site-specific effects of these projects on the analysis area's environment must be analyzed and disclosed. This should include identification of all the direct and indirect effects that are known, and a good faith effort to explain the effects that are not known but are reasonably foreseeable.

In January 1997 the President's Council on Environmental Quality (CEQ) published, "Considering Cumulative Effects Under the National Environmental Policy Act", guidance that provides a framework for analyzing cumulative effects. In May 1997 EPA published a document entitled, "Consideration of Cumulative Effects in EPA Review of NEPA Documents." This document can be found at http://es.epa.gov/oeca/ofa/legis.html (Click on cumulative effects document title). The cumulative effects analysis should:

- 1) Identify the area in which effects of the proposed project will be felt.
- 2) Determine resources within the project impact area that could be affected by the proposed action, particularly the resource most likely to be significantly impacted (i.e., resources of concern), and determine the geographic areas in which those resources will be affected. The important factor in determining cumulative impact is the condition of the resource (i.e., the extent to which it is degraded).

Use appropriate analysis area boundaries for the resource and time period over which the cumulative effects have occurred or will occur. In most cases, the largest of these areas will be the appropriate area for analysis of cumulative effects. The selection of geographic boundaries and time periods should be, whenever possible, based on the natural boundaries of resources of concern (e.g., watershed boundary for water quality issues). The temporal scope requires estimating the length of time that effects of the proposed action singly or in combination with other anticipated actions will last and be significant to the resources of concern. The period of time that the proposed action's impacts persist can extend beyond the project life. The analysis should extend until the resources have recovered from the impact of the proposed action.

- 3) Identify impacts that are expected to resources of concern in that area from the proposed project through analysis of cause-and-effects relationships. Knowing how a particular resource responds to environmental change (cause-and-effect relationship) is essential for determining the cumulative effects of multiple actions. Cause-and-effect pathways should be identified to understand how the resources respond to environmental change (i.e., what the effect is). The cause-and-effect relationships for each resource should be understood to determine the magnitude of the cumulative effect resulting from all actions included in the analysis.
- 4) Identify other actions -past, present, and reasonably foreseeable future actions- that have had or are expected to have impacts in the same area, and the impact or expected impacts from these other actions. Even unrelated actions conducted on by other agencies or persons on all land ownerships, if they contribute to cumulative effects on a resource, should be incorporated into the analysis.

The identification of the effects of past actions is critical to understanding the environmental condition of the area. The EIS should consider how past and present activities have historically affected and continue to affect the resources, ecosystems, and communities of concern. The concept of a baseline or environmental reference condition against which to compare predictions of the effects of proposed actions and reasonable alternatives is critical to the NEPA process. The baseline condition of the resource of concern should include a description of how conditions have changed over time and how they are likely to change in the future with and without the proposed action.

It is also important to incorporate future actions of agencies and the public into cumulative impact analyses. Good cumulative effects analysis requires close coordination among agencies and the public to ensure that all past, present and reasonably foreseeable future actions are considered. Reasonably foreseeable future actions need to be considered even if they are not specific proposals. The criterion for excluding future actions from analysis whether they are "speculative." In general future actions can be excluded from the analysis of cumulative effects if: a) the action is outside the geographic boundaries or time frame established for the cumulative effects analysis; b) the action will not affect resources of concern that are the subject of the cumulative effects analysis; and c) including the action would be arbitrary.

5) Determine the overall cumulative impacts that can be expected if the individual impacts are allowed to accumulate, and provide comparisons of cumulative impacts for the proposed actions and the reasonable alternatives in relation to the no action alternative and/or an environmental reference point. The analyses should provide a clear basis for choice among options by the decision maker and the public. Monitoring should be put in place to evaluate predictions and mitigation effectiveness.

A common inadequacy of documents is the lack of analysis or disclosure of the sum of individual effects of all projects on the local environment. A summary listing of other projects occurring in the vicinity without the accompanying analysis is insufficient. Connected actions which result in increased cumulative effects are of concern to the EPA. Some examples are:

- O Linked Developments If the construction of a new road or reconstruction of an existing road will likely facilitate or cause additional developments, the effects of these linked impacts must also be analyzed.
- Maintenance and Debris Disposal Road standards and design have a major effect on scheduled and unscheduled maintenance needs. The needs for normally scheduled maintenance debris from ditch cleaning, sanding as well as anticipated but unscheduled maintenance, such as debris from slumps, should be analyzed and planned for during the design phase of construction and reconstruction projects. Past practices of expediently sidecasting material over the shoulder, filling depressions and widening shoulders have an adverse effect on wetlands and riparian areas and are inappropriate. Plans for long term normal as well as emergency maintenance programs should be disclosed in the NEPA document and a specific site disposal plan describing proper site development, disposal of debris and timely rehabilitation of completed portion to prevent invasion by noxious or undesirable vegetation should be prepared. Plans for management of roadside vegetation through the use of herbicides also require disclosure.
- Winter maintenance The EPA is concerned about the proximity of wetlands, riparian areas and streams to many roads. Winter maintenance often results in the introduction of sediment and salt either directly or indirectly to the stream and associated riparian and wetland resources. The impacts of winter maintenance activities are more a matter of a long term indirect and cumulative effects than of one specific incident. Snow plowing subsequent to sanding moves sand and salt off the roadbed to the adjacent ditchline and fill slopes. It then migrates downhill until it is deposited in streams or forms a carpet on gentle ground. When this occurs in a wetland, the area's functional abilities are altered. When winter maintenance may potentially affect wetlands, riparian areas or water quality, the effects of the program must be disclosed in a NEPA document. This should include the steps taken to minimize and mitigate the unavoidable effects on waters of the United States (i.e. sediment traps, reuse of sanding material, maintenance program requirements, etc.) as well as a discussion of the effects themselves.

Road agencies often initiate winter maintenance on roads neither designed nor previously managed as all-weather roads. Therefore, even if winter maintenance is not anticipated at the time the NEPA document is developed, it must still be analyzed. Alternatively, a mechanism may be initiated that would explicitly disallow the practice of winter maintenance until documentation of the effects of such a program and its associated impacts is completed.

Route selection, alignment, road design standards, key topographic features, and the linear nature of roads often result in a road which has a predilection to affect a particular component of the environment. The classic example of this is the road in the bottom of a narrow valley and its effects on the stream and associated riparian and wetland areas and resident wildlife. Construction of long, continuous segments of guardrail and snowplowing may also have unfortunate effects on wildlife. These types of effects must be disclosed.

6. Mitigation

A comprehensive discussion of proposed mitigation for direct, indirect and cumulative impacts is required by the CEQ Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1502.14(f)). The CEQ regulations state that an EIS should include the means to mitigate adverse environmental effects (40 CFR 1508.7). Mitigation measures must be discussed in sufficient detail to ensure that environmental consequences have been fairly evaluated. A reasoned analysis of potential detrimental effects and measures to mitigate those effects is required. Simply listing the mitigation measures is insufficient to qualify as the reasoned discussion or "hard look" required by NEPA.

Judicial reviews of NEPA cases have supported not only the need for identifying mitigation measures, but for discussing mitigation effectiveness as well. The EIS should provide a quantitative (if possible) and/or a qualitative description of site-specific mitigation effectiveness. Mitigation effectiveness is determined by using a monitoring procedure designed to compare baseline data with existing conditions. It should also address coordination efforts required to undertake mitigation measures.

Resource Issues

1. Water Resources

Surface Water

Highway construction and completed highway projects can result in increased surface water runoff, stream channel alteration, wetland modification and other water quality related problems. The document should clearly describe water bodies within the analysis area which may be impacted by project activities. Identifying affected watersheds on maps of the various alternatives helps convey their relationship with project activities.

The EPA considers the collection of baseline water quality and aquatic habitat data at the project level important to provide a comparison with projected impacts as well as actual project impacts. Water quality and aquatic habitat impacts associated with implementation of the alternatives should be fully evaluated and disclosed. Where water quality and aquatic habitat information for individual water bodies exists, it should be presented. This would include

inventories; baseline data information such as temperature, sediment, turbidity, channel morphological conditions, the presence of toxic substances; water quality and the existence of any known point or non-point pollution sources or other problems. Other information relevant to the analysis, such as aquatic species habitat and the condition and productivity of that habitat, should also be included.

Existing water quality standards applicable to the affected water bodies should be presented to provide a basis for determining whether beneficial uses will be protected and water quality standards met. The EIS should clearly demonstrate that project implementation will comply with State Water Quality Standards (ARM 17.30 Subchapter 6), including an antidegradation analysis, as specified in the EPA Antidegradation Policy (40 CFR 131.12) and Montana Nondegradation Rules (ARM 17.30 Subchapter 7).

The EIS should provide a quantitative basis to judge whether biological, chemical, and physical parameters, such as sediment accumulation, organic, microbial, and nutrient loading, temperature, turbidity, and aquatic habitat, will be kept at levels that will protect and fully support designated uses and meet State Water Quality Standards under each of the action alternatives.

A discussion of area developments, geology, topography, soils and stream stability in terms of erosion and mass failure potential may be necessary to adequately portray the potential risk to water quality, aquatic habitat and other resources from the implementation of specific alternatives.

Section 319 of the Clean Water Act requires that Federal actions be consistent with State Nonpoint Pollution Management Plans. The Federal consistency provisions of Section 319 represent an opportunity for State and Federal agencies to more closely coordinate their activities and cooperate in achieving water quality goals. If a state determines that a Federal project is not consistent with the provisions of the non-point source pollution program, the Federal agency must make efforts to accommodate the State's concerns. Executive Order 12372 provides guidelines for using the State intergovernmental review process for conducting Section 319 federal consistency reviews.

The appropriate State-identified Best Management Practices to reduce potential non-point sources of pollution from highway construction and maintenance must be designed into the alternatives under consideration and disclosed. Existing water quality conditions in NEPA documents should reflect the State's water quality assessment. Direct or indirect non-point source water quality effects should be reduced through design and through mitigation measures to ensure consistency with the state's non-point source pollution program. The State contact for Federal consistency and non-point source pollution issues is, Mr. Jim Bauermeister at MDEQ in Helena at 444-6771.

Fisheries information such as fish species present, populations, and important fisheries habitats such as spawning gravels, over-wintering pools, etc., should be described and project effects upon fisheries disclosed. The EIS should clearly describe the effect of each alternative on

designated uses for area surface waters with particular attention to fisheries spawning and rearing habitat. It should also identify which water quality parameters, if any, are limiting factors to local fisheries under each alternative. This information should identify the extent to which fish habitat could be impaired by road construction activities including effects on stream structure, seasonal and spawning habitats, large organic material supplies, and riparian habitats. Impacts to biota and stream stability and deposition patterns due to restrictions in stream bedload transport by highway bridge spans and/or culverts should be evaluated and disclosed.

303(d) Listed Water Bodies & TMDLs

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Project area water bodies with impaired water quality listed by the State in its Clean Water Act Section 303(d) report should be identified. See the Montana Department of Environmental Quality (MDEQ) website,

http://www.deq.state.mt.us/ppa/mdm/303 d/303d information.asp for identification of water bodies on the Montana 1996 and 2000 303 (d) lists. You may also obtain 303(d) listing information from Mr. Bob Barry of the MDEQ in Helena at 444-5342. The EIS should: indicate which years 303(d) list the streams are listed for (e..g, 1996, 2000); describe the magnitude and sources of water quality impairment; and identify the specific parameters resulting in the 303(d) listing. By our records the Milk River, Fresno Reservoir, and Sage, Beaver, Bull Hook, Little Box Elder, Cow, Peoples, Lodge, Battle, Black Coulee, and Eagle Creeks were all listed on Montana's 1996 303(d) list.

Water quality limited water bodies on the State 303(d) list need to have a Total Maximum Daily Load (TMDL) prepared by the State to promote their recovery. The TMDL process identifies the maximum load of a pollutant (e.g., sediment, nutrient, metal) a waterbody is able to assimilate and fully support its designated uses; allocates portions of the maximum load to all sources; identifies the necessary controls that may be implemented voluntarily or through regulatory means; and describes a monitoring plan and associated corrective feedback loop to insure that uses are fully supported.

The Highway Agencies should contact the MDEQ to determine the status of the State's TMDL development efforts in the 303(d) listed drainage, and to assure that the proposed highway improvements are consistent with the State's TMDL development (contact Jim Bauermeister of MDEQ in Helena at 444-6771). The EIS should include discussion of the water quality and hydrologic condition of the listed streams in the project area (actually such information should be presented for all streams in the project area). In addition it is helpful if the Court required TMDL approval deadline for the 303(d) listed streams located in the project area watersheds are identified.

The EIS should describe how the proposed project might affect the impaired streams, particularly how the water quality parameters causing the impairment and 303(d) listing may be effected. The proposed project should avoid aggravating the water quality impairment. Proposed highway improvements should be discussed with MDEQ and any local watershed

groups that are involved in preparing TMDLs and watershed restoration plans for the impaired streams. The MDEQ should be asked to indicate if the proposed highway improvements are consistent with the State's development of TMDLs for the water quality impaired streams.

Storm Water Runoff

Storm water discharges associated with highway construction are an industrial activity according to EPA's Storm Water Regulations (40 CFR 122.6). Highway construction projects must obtain an NPDES (MPDES in Montana) storm water permit if construction activities will disturb five or more acres of land. For projects within the jurisdiction of small municipalities (less than 100,000 people), and under five acres, other requirements may apply. Construction activities may be covered by a general NPDES (MPDES) permit rather than an individual permit. If a storm water permit is required, on site notification must be posted, along with a pollution prevention plan.

Normal highway runoff, aside from significant spills of hazardous material, contains contaminants which could affect surface and ground water quality. The EIS should characterize the quality of streams, lakes, and ground water resources in the vicinity of the project as well as the quality of the anticipated highway runoff. Provisions for hazardous waste containment in case of a spill, and means of collection and treatment of storm water runoff should also be included.

If there are any questions about storm water permitting activities, contact Gwen Jacobs of EPA at 457-5023. The State contact for storm water permitting activities is Nick Bugosh of MDEQ at 444-3927.

Antidegradation/Nondegradation Policy

Activities associated with highway construction projects, particularly when considering the cumulative effects of emergency and scheduled repairs and maintenance, have the potential to degrade water quality. If an antidegradation analysis is required as specified in 40 CFR 131.12 [also see 40 CFR 131.12(a)(2); E.O. 12088 (CWA Section 313); and E.O. 12372 (CWA Section 319)], and/or Nondegradation analysis as specified in ARM 17.30.701-717, they must be included in the document.

These policies were developed to assure that designated surface water uses will not be degraded. Antidegradation/Nondegradation Policies provide protection for surface waters that currently meet Water Quality Standards (Tier 1 waters), currently exceed Water Quality Standards (Tier 2 waters), and/or are considered of outstanding value (Tier 3 waters).

The State determines the "Tier" of a waterbody under this policy, although EPA can provide guidance on determining surface water quality status. The policy's three tiers of protection are:

- <u>Tier 1:</u> No activity is allowed which would partially or completely eliminate any existing beneficial use of a waterbody, regardless of whether that use is designated in a state's Water Quality Standards. If a proposed activity would partially or completely eliminate a beneficial use, it must be avoided or adequate preventive measures must be taken to ensure that existing uses and associated surface water quality will be fully maintained.
- <u>Tier 2:</u> The quality of surface waters exceeding "fishable/swimmable" levels (i.e., "high quality waters"), shall be maintained and protected unless the following are completed:
 - (1) A finding that degradation is necessary to accommodate important economic or social development in the area in which the waters are located;
 - (2) Full satisfaction of all intergovernmental coordination and public participation provisions; and
 - (3) Assurance that the highest statutory and regulatory requirements and standards for pollutant controls are met.

This provision is intended to provide relief only in extraordinary circumstances where the economic and social need for an activity clearly outweighs the benefit of maintaining surface water quality over that required for "fishable/swimmable" water. The burden of proof on a project proponent for such activity is very high. However, the proposed activity shall not preclude the maintenance of a "fishable/swimming" level of surface water quality.

<u>Tier 3:</u> "High quality waters" which are considered outstanding national resources shall be maintained and protected.

Ground Water

Ground water under a highway construction area may serve as a drinking water supply and/or a recharge source of nearby surface water bodies. Accordingly, contamination from highway construction activities could have an adverse public health or ecological impact on such resources. An assessment of activities and potential contaminants used in the highway project should be conducted to determine risk of the project to ground water. Mitigation measures should be developed to assure that the ground water is adequately protected from the identified risks.

With regard to water supply wells or springs, the Department of Transportation needs to

work with State environmental authorities and water purveyors (including private well owners) to identify what part, if any, of the project crosses present or planned water supply recharge areas. Highway authorities should also determine whether the project is located in a delineated Source Water Protection Area. Locally mandated wellhead program mitigation measures should be followed to protect the water supplies. The state contact for the Source Water Protection Program is Joe Meek at MDEQ at 444-4806 or Julie Dalsoglio at EPA at 457-5025.

Underground Storage Tanks

EPA considers leaks from Underground Storage Tanks (UST's) a serious threat to human health, soil, and ground water resources. Unidentified UST's containing petroleum and hazardous substances could be encountered during highway construction. Many of these tanks have been abandoned and still contain petroleum residues. If any UST's are found in the proposed right-of-way Tillman McAdams of EPA at 457-5015 must be notified. The State contact for UST's is Jim Hill of MDEO at 444-0481.

The EIS should address any known impacts associated with the closure (in situ or removal) of the tanks. For unknown impacts the EIS should address site assessments, initial response (if a leaking tank is discovered), corrective action plans to treat contamination caused by leaking UST's, disposal procedures for the tank, and contaminated soils and ground water.

Hazardous Waste Sites

Highway routes and potential rights of way should be examined for proximity to hazardous waste sites. Projects that located near hazardous waste sites should provide mitigation measures that will safely avoid hydrologic and other disturbances of these sites. Mr. Mike Trombetta of MDEQ at 444-5877 or Susan Zazzali of EPA at 457-5019 may be contacted as an information source for hazardous waste sites in the area. A commonly used source for identification of known hazardous waste sites is the CERCLIS inventory generated from the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

Wetlands

The document must clearly describe the existing wetlands within the analysis area; their acreage, type and ecological role and how both acreage and function will be protected. Road construction clearing and earthwork generally include sedimentation and hydrologic impacts which at some level may cause changes to surface and subsurface drainage patterns and, ultimately, wetland integrity and function. Executive Order 11990 requires that all Federal Agencies protect wetlands.

For purposes of Clean Water Act section 404 permits where dredge or fill activity is proposed in waters of the United States, all aquatic resource areas, including wetlands, should be clearly identified and assessed in relation to project impacts. Wetlands are one of a number of

"Special Aquatic Sites" referenced in the section 404(b)(1) Guidelines. The section 404(b)(1) Guidelines provide the substantive environmental criteria for protecting waters of the U.S. under section 404 of the Clean Water Act. Wetlands are significant environmental resources that provide a wide range of important functions and values. They have experienced severe cumulative losses nationally. For these reasons protection of wetlands and other important aquatic resource habitats is a high EPA priority.

Wetlands in the project area should first be identified and delineated consistent with the Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, January 1987, Final Report and its recent guidance on implementation. Delineation should be followed by a functional assessment to determine the extent and importance of existing wetland and aquatic resources. Several options such as the Hydrogeomorphic (HGM) Wetland Assessment Method are available for use in determining wetland and associated aquatic resources functions and their values. Any special features such as rare or unique habitats should receive special attention. Once the wetland functions are defined, the possibilities for mitigating potential impacts can be explored.

Avoidance of wetland losses is a primary requirement of the Section 404(b)(1) guidelines [40 CFR 230.10(a)]. The Corps of Engineers and EPA, through their Mitigation Memorandum of Agreement, state they will ".... strive to avoid adverse impacts and offset unavoidable adverse impacts to existing aquatic resources, and for wetlands, will strive to achieve a goal of no overall net loss of values and functions." Planning and design should seek to avoid impacts wherever possible, to minimize impacts which are unavoidable, and, as a final alternative, to provide adequate compensation for all unavoidable impacts. This will require a thorough evaluation of all less environmentally damaging project alternatives. For non-water dependent activities, such as roads, alternatives to siting in wetlands are presumed to be available unless demonstrated otherwise. Avoidance is required before compensatory mitigation will be considered.

The document must provide a clear description of anticipated direct, indirect and cumulative adverse impacts to wetlands from all planned activities. In accordance with the Clean Water Act, wetland mitigation strategies, methods and programs should be disclosed in the assessment and included in the overall site mitigation plan. We recommend that a detailed compensatory mitigation plan be developed for unavoidable wetland and aquatic resource impacts (see attached Mitigation Plan Requirements). This mitigation plan should include consideration of both direct, indirect, and cumulative effects. It should contain a statement of goals, a monitoring plan, long-term management/protection objectives and a contingency plan (a commitment to conduct additional work if required to meet the goals of the plan). The mitigation plan should also include best management practices and mitigation measures that will manage stormwater runoff from roadways before it reaches wetlands, streams and other aquatic habitats. In general, wetlands, including mitigation wetlands, should not be used for treatment of stormwater.

The 404(b)(1) Guidelines and Corps of Engineers and EPA 404 program staff should be consulted for specific guidance on the scope of avoidance and minimization alternatives that need to be addressed. We recommend coordination with the Corps of Engineers (Corps Montana Office Director Mr. Allen Steinle or Mr. Todd Tillinger in Helena at 441-1375), EPA 404 Regulatory Staff (Ms. Kristine Knutson at 457-5021), Fish and Wildlife Service (Mr. Scott Jackson at 449-5225), and other state and federal resources agencies when developing alternatives to determine whether impacts to wetlands can be eliminated or reduced. The need to select alternatives which avoid impacts to U.S. waters must be addressed during the 404 permit process.

To assure consistency with the 404(b)(1) Guidelines, a thorough analysis of all possible alternatives to avoid and minimize wetland and aquatic resource habitat impacts should be addressed through the NEPA EIS process. These alternatives can include project design changes including roadway alignment reconfiguration, modifications to size and configuration, bridges, construction on pilings as opposed to fill, abandonment of realignment proposals in highly sensitive areas, or use of safety devices to meet road safety objectives. We recommend that a draft 404(b)(1) analysis be prepared for the preferred alternative and appended to the EIS. This will help assure that 404 regulatory requirements are properly integrated into the NEPA process as directed by the CEQ regulations (40 CFR 1500.2(c)).

We suggest that the Department of Transportation meet with resource agencies, including EPA, to discuss mitigation options. We also suggest that impacts to wetlands and streams be discussed at the Montana Interagency Wetland Group meetings that are held on a bimonthly basis. This group is chaired by Mr. Gordon Stockstad of the MDT, Environmental Services Unit.

2. Air Quality

The effects of the various alternatives on air quality must be quantified. Generally, the primary air quality concern with highway construction is the effect of motor vehicle emissions on air quality and their impact on 1) non-attainment areas, 2) Class I and II protection areas and 3) areas where an air quality standard could be violated by increases in emissions due to increased motor vehicle use facilitated by completion of the project. Existing air quality and meteorological monitoring data should be presented, as well as needed data gathering to adequately perform air quality analysis and any monitoring proposed.

The air quality analysis must demonstrate that the proposed alternative would not cause or contribute to any violations of the National Ambient Air Quality Standards, that it will not cause the air quality to degrade by more than any applicable PSD (Prevention of Significant Deterioration) increment, and that it will not cause or contribute to visibility impairment.

The following discussion presents the general criteria by which an EIS dealing with mobile sources is evaluated for air quality impacts. This discussion presents the areas to be considered rather than the details of the analysis. We do not anticipate significant air quality

concerns with the US Highway 2 in Hill and Blaine Counties project. A project with potentially minimal effects on air quality may not need to consider all the points mentioned below:

A description of the existing air quality should be presented, including the study areas designation of attainment or non-attainment of National Ambient Air Quality Standards.

A localized analysis of pollutants particularly carbon monoxide (CO) is needed. In most cases the eight-hour standard of 9 ppm is the controlling standard. However, it is useful to provide both one-hour and eight-hour concentrations. This analysis is required and should be proportional to the scope of the project.

- (3) Areawide analysis should be done for CO, PM₁₀ (emissions and particulates made airborne from automobile use), and Volatile Organic Compounds as well as any other criteria pollutants or hazardous pollutants which may be affected by the project. This analysis may not be necessary if the project is included in the State Implementation Plan (SIP) emission inventory.
- (4) The analysis should include a comparison of the "No Build" and all Build alternatives for existing conditions, worst case conditions, and the design years
- (5) The traffic analysis should show the project's impact on average daily traffic and speeds. The assumed population growth used to project traffic volumes should be identified to assure consistency with the population projections in the SIP.
- (6) Construction impacts and appropriate control measures to be taken should be discussed.
- 7) Monitoring should be conducted at areas of maximum concentration to which the public may be exposed. Refer to 44 FR 27586 (May 10, 1979) for monitoring guidance.
- (8) An appropriate model should be used, based on the project scope. MOBILE 5A is the most recent mobile source emission factor model released by EPA.

A determination of whether the project conforms to the State Implementation Plan is required in Section 176(c) of the Clean Air Act (as amended November 15, 1991).

Section 176(c) of the Clean Air Act

The analysis must describe any state or local air quality regulations or State Implementation Plan (SIP) requirements covering specific activities occurring as part of the project construction and/or implementation, and how compliance with those regulations or requirements will be achieved.

The conformity provisions of the Section 176(c) of the Clean Air Act requires that all federal actions conform to existing State Implementation Plans (SIP's), and prohibits federal agencies from taking any action that causes or contributes to a new violation of the NAAQS, increases the frequency or severity of an existing violation, or delays the timely attainment of a standard. Under section 176(c), the federal agency responsible for a proposed action is required to determine if its action will conform to the applicable SIP before the final EIS is completed. The final rule on the conformity provision can be found in 40 CFR Parts 51 and 93.

You may want to contact Betsy Wahl of EPA (Helena) at 457-5013 or Robert Edgar of EPA Denver at 303-312-6669 if you have questions regarding air quality issues or Clean Air Act requirements. Bob Habeck of MDEQ at 444-7305 is a State contact on Clean Air Act issues.

3. Wildlife Effects

In the case of new highway alignments or widening of existing roads, the EIS should evaluate direct and indirect (induced growth) wildlife effects. Affected environment sections should include current quality and capacity of habitat, usage by wildlife near the proposed project, and known wildlife corridors/trails. Existing wildlife mortality should be disclosed if known. Environmental Consequences sections need to evaluate increased mortality from higher traffic levels, habitat removal, reduced access to available habitat, effects on biodiversity (see Biodiversity below), and estimated reductions in impact from mitigation. The mitigation sections should include analysis of the following:

The extent to which stream crossings can be modified to also serve as wildlife crossings (Assuming stream crossings coincide with areas where there is wildlife movement or an opportunity to reduce mortality rates). Crossings should be dedicated for wildlife use to reduce wildlife mortality, connect habitat areas, and reduce traffic accidents. Crossings should be of sufficient width, contain minimal dark passages, and employ wing fencing techniques. We note that information regarding wildlife and highway conflicts and mitigation may be available on this website, www.berrymaninstitute.org.

Threatened and Endangered Species

If the proposed activities could affect threatened or endangered species, the EIS should include the Biological Assessment and the associated U.S. Fish and Wildlife Service (FWS) Biological Opinion or formal concurrence for the following reasons:

- 1) NEPA requires public involvement and full disclosure of all issues upon which a decision is to be made;
- (2) The Council on Environmental Quality (CEQ) Regulations for Implementing the

Procedural Provisions of NEPA strongly encourage the integration of NEPA requirements with other environmental review and consultation requirements (40 CFR 1502.25); and

(3) The Endangered Species Act (ESA) consultation process can result in the identification of mandatory, reasonable, and prudent alternatives which can significantly affect project implementation.

Both the Biological Assessment and the EIS must disclose and evaluate the potential impacts of the proposed action on listed species. The full disclosure mandate of NEPA suggests that the consultation be instigated as soon as possible. Thus, the final EIS and Record of Decision should not be completed prior to the completion of ESA consultation. Treating the consultation process as a separate parallel process that is not closely involved with the NEPA process represents a risk because during the consultation, FWS could identify additional impacts, new mitigation measures, or changes to the preferred alternative. If these changes have not been evaluated in the final EIS, a supplement to the EIS could be warranted.

Biodiversity

While generally not a major issue of concern for smaller road improvement projects, biodiversity may be a critical consideration for new alignments, major reconstruction or when special habitats (i.e., wetlands, threatened and endangered species habitat) will be affected. The state of the art for this issue is changing rapidly.

Biodiversity is the variety of life. It includes the number, abundance, and distribution of each species. It includes species diversity, gene pool diversity, and ecosystem diversity. The concept of biodiversity also includes the processes of interaction among species. Maintenance of biodiversity can minimize the need for listing species as threatened or endangered.

The scale used for the analysis should be described in the EIS. A landscape scale perspective is generally appropriate unless the presence of biotic species that inhabit a wide range of landscapes indicates a need for a larger scale (e.g., wide ranging predators or neo-tropical birds). Where indicator species are used, they should be representative of discrete specific habitats or conditions. Specifically, the document should address:

(1) The diversity and uniqueness of flora and fauna that exists in the analysis area. A review of local climatic diversity, topography and ecotones may be helpful in identifying local biodiversity. The presence of threatened, endangered or sensitive species; communities that are at the edge of their range; or the identification of "gap" habitats indicate a greater need for analysis than homogenous habitats. Similarly, a discussion of nearby, large, undisturbed habitats that add to local diversity stability (such as wilderness or roadless areas) would be informative.

- (2) The effects of the proposed alternative actions on the maintenance of diversity.
- (3) The cumulative effects of past projects, proposed and approved future projects on diversity stability, fragmentation, connectivity with adjacent landscapes, and disruption to processes or functions.

4. Noise

We recommend that the following information be included in the EIS to describe the existing environment and to evaluate the noise effects of the proposed project and the alternatives.

- (1) the existing and anticipated land uses near the project site or route that have a sensitivity to noise and the number of people living near the route;
- (2) the existing noise levels adjacent to the proposed alignments;
- (3) the predicted noise levels from alternatives;
- (4) the noise abatement measures that will be used to reduce noise from the completed project and noise generated during construction including noise walls building insulation and acquisition;
- (5) the number of residences/businesses exceeding noise thresholds for each alternative;
- (6) the number of residences/businesses exceeding a 10 dBa increase in noise levels (show on a map); and
- (7) the facilities that can not be protected by noise abatement measures and the impact on the occupants.



To work toward sustainable transportation solutions, EPA asks Northwest transportation and land use decision makers to:

Integrate land use planning, transportation planning, and environmental review so that the NEPA process is open to the full range of alternatives to solve transportation needs.

The land use planning, transportation planning, and environmental review processes currently occur in linear sequence, sometimes beginning with land use, sometimes with transportation. The result of a linear process is often a predetermined outcome that does not adequately consider or avoid undesirable effects to land use, transportation, and/or the environment, and that



is difficult if not Photocourtesy of Calthorpe Associates

impossible to change. Achieving this integration and the sustainable outcomes we hope for will require the good will, cooperation, and dedication of all players. EPA intends to work with land use planning and transportation planning entities in exploring new ways of achieving a more integrated approach to land use, transportation, and environmental planning and review.

Acknowledge, evaluate, and discuss the serious environmental, economic, and social impacts often associated with road building and the use of privately owned vehicles.

The environmental costs of new roads are often enormous, and frequently are not acknowledged or openly discussed by project proponents. Roads contribute significantly to air pollution, water pollution, and wildlife habitat loss and fragmentation. Roads can contribute to urban sprawl and the loss of rural farming and forestry areas and natural areas near urban centers. They can change the face of the landscape and contribute to the loss of the very values people seek in a geographic area. It is important that project proponents acknowledge, adequately evaluate, and disclose such impacts during project planning.

Before deciding upon new road solutions, consider the following:

Explore creative alternatives. Creative solutions that integrate land use with transportation while protecting the environment and enhancing livability can emerge from the public thinking when citizens are actively engaged and there is partnership with participating agencies and decision makers. Provide analytical support for community-generated ideas, and explore multi-faceted solutions. It may be possible to combine several ideas/alternatives that, collectively, will address the project need. A package of alternatives could include alternative transportation modes, trip reduction, land use adjustments, parking controls, pricing mechanisms, other incentives and/or disincentives, new route design or traffic circulation patterns, and more.



Photo courtesy of King County METRO

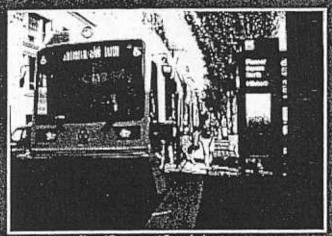


Photo courlesy of Local Government Commission

Diversify the transportation system by providing more transportation choices. The Transportation Equity Act for the 21st Century (TEA-21) continues and expands upon the important changes in transportation policy initiated by the Intermodal Surface Transportation Efficiency Act (ISTEA): it dedicates funding to alternatives to driving and to transportation modes that reduce air pollution and improve environmental protection and sustainability. Having a community that is provided multiple transportation choices enhances personal freedom, is more equitable for those who cannot afford or do not have the ability to drive, and is more protective of the environment by decreasing dependency on privately owned vehicles and the need for more lanes of pavement.

Emphasize transportation demand management. Include transportation demand management (trip reduction) and transportation system management (TDM and TSM) in all projects and alternatives, with the greater emphasis upon TDM. An array of travel alternatives, roadway use options such as carpool lanes, financial incentives, work hours and location management options exist, and more ideas are being generated. Land use strategies, such as mixed use and transit oriented development, also serve to curb travel demand.

From:

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Colleen Kirby Roberts
To:
                 Savage, Suzanne
                 8/12/2004 11:11:13 AM
Date:
Subject:
                 Fwd: FW: US 2 - Havre to Fort Belknap EIS
For file as MDEQ's agency comment.
Colleen Kirby Roberts
Planner
David Evans and Associates, Inc.
1331 17th Street, Suite 900
Denver, CO 80202
720-946-0969 ext.115
>>> "Helvik, Karl" <khelvik@state.mt.us> 8/12/2004 10:56:02 AM >>>
fyi
> ----Original Message-----
> From: Ellerhoff, Thomas
> Sent: Thursday, August 12, 2004 9:34 AM
> To: Helvik, Karl
> Cc: Ryan, Jeff; Mackin, Carole; Sensibaugh, Jan; Livers, Tom; Peterson,
> Lisa; Lovelace, Bonnie; Welch, Steve; Compton, Art; Mathieus, George
> Subject: RE: US 2 - Havre to Fort Belknap EIS
> Karl:
> The Department of Environmental Quality (DEQ) sent the Department of
> Transportation (MDT) comments on its preliminary draft environmental
> impact statement regarding the proposed reconstruction of U.S. Highway 2
> from Havre to Fort Belknap on May 14, 2004. The DEQ does not plan to send
> MDT any additional comments regarding this proposed project.
> Tom
```



May 14, 2004

Karl Helvik
Consultant Project Engineer
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001

Dear Mr. Helvik

The Department of Environmental Quality (DEQ) reviewed the preliminary draft environmental impact statement (EIS) by the Montana Department of Transportation (MDT) for the proposed reconstruction of 72.2 kilometers (44.9 miles) of Montana U.S. Highway 2, east of Havre, MT, to its junction with Montana Highway 66, at the Fort Belknap Indian Reservation.

DEQ's comments include:

In areas where the highway is located more centrally in the flood plain, the ability of the Milk River to access its floodplain and migrate freely is compromised. This discussion should be expanded to consider this issue and the cumulative impacts (historic/current/future) associated with this issue pertinent to the highway and the railroad.

The discussion involving 303(d) listed streams should be expanded - several of the effected streams were 303(d) listed on previous listings and may be re-listed pending additional data - some of the listed impairments could be exacerbated by highway expansion. Currently, the Milk River and Battle Creek are listed (See Attachment). Some of the noted impairments on Battle Creek involve riparian degradation and sediment. Since the draft EIS (DEIS) discloses additional loss of riparian areas associated with Battle Creek, riparian restoration on the creek should be considered to mitigate for the loss.

MDT's preferred 4-lane alternative, as mandated by Senate Bill 3, is inconsistent with FHWA's preferred alternative. MDT's preferred 4-lane alternative would appear contrary to NEPA and the Army Corp/EPA 404(b)(1) guidelines analysis, that requires the least environmentally damaging practicable alternative be selected. These inconsistencies need to be addressed in the DEIS.

• (Page 4-75) Even though surface water is not currently used for drinking water in this reach of the Milk, surface water must meet Water Quality Standards so it can be used in the future. ARM 17.30.625 (1):

Waters classified B-3 are suitable for drinking, culinary, and food processing purposes after conventional treatment, bathing, swimming, and recreation; growth and propagation of non-salmonid fishes and associated aquatic life, waterfowl and furbearers; and agriculture and industrial water supply

Thank you for the opportunity to review the EA. If you have any questions regarding DEQ's comments please contact Jeff Ryan, Water Protection Bureau (444-4626), Carole Mackin, Resource Protection and Planning Bureau (444-7425), or me.

Sincerely,

[Signed: May 14, 2004]

Tom Ellerhoff Administrative Officer 444-5263

Attachment: DEQ Review - U.S. Highway 2, Havre to Ft. Belknap

The Milk River and Battle, Lodge and Little Box Elder creeks are water quality limited streams on the 1996 303(d) list. MDT must employ all reasonable land, soil and water practices to prevent further impairments of these streams. Table 1 lists the classification for each waterbody. The classification determines the beneficial uses of the water.

Table 1. Waterbodies on Montana's 303(d) lists of impaired waters and their associated level of Beneficial Use

Support.

Waterbody & Stream Description	Waterbody #	Use Class	Year	Trophic Level	Aquatic Life	Fisheries: Warm or Cold	Drinking	Swimmable (Recreation)	Agriculture	Industry
Milk River	MT40J001_010 MT40J001_020	B-3	1996		Р	P-warm	Р	Χ	Р	Х
	W11403001_020		2004		Χ	X-warm	N	Χ	F	F
Lodge Creek	MT40J003_010	B-3	1998		T	T-warm	T	T	T	Χ
Headwaters to mouth			2004		X	X-warm	Χ	Χ	Χ	Χ
Little Box Elder	MT40J002_030	B-2	1998		Р	P-cold	Χ	Χ	Χ	Χ
			2004		Χ	X-warm	Χ	Χ	Χ	Χ
Battle Creek Headwaters to mouth	MT40J004_010	B-3	1998		X	X-warm	T	Χ	T	Χ
Treadwaters to mouth			2004		Р	P-warm	F	F	F	F

Legend: F= Full Support; P= Partial Support; N= Not Supported; T= Threatened; X= Not Assessed

Table 2. lists the probable causes and sources for each impairment.

Table 2. Probable Cause(s) and Source(s) for Montana's 303(d) lists.

Waterbody	1996 / '98 Causes	1996 / '98 Sources	2004 Causes	2004 Sources
Milk River	Nutrients, Other habitat alterations, Other Inorganics Salinity/TDS/Chlorides Suspended solids Flow Alteration	Municipal point sources Agriculture Irrigated Crop Production Non-irrigated Crop Production Range Land Stream bank Modification/ destabilization	Metals Mercury	Agriculture Crop-related Sources Grazing Related Sources Hydromodification
Lodge Creek	Noxious aquatic	Agriculture	(not	(not reassessed)

Table 2. Probable Cause(s) and Source(s) for Montana's 303(d) lists.

Waterbody	1996 / '98 Causes	1996 / '98 Sources	2004 Causes	2004 Sources
	plants, Nutrients, Organic enrichment/DO Other Inorganics Salinity/TDS/ Chlorides	Irrigated Crop Production Non-irrigated Crop Production Range Land	reassessed)	
Little Box Elder	Nutrients, Siltation, Thermal modification	Agriculture Irrigated Crop Production Range Land Stream bank Modification/ destabilization	(not reassessed)	(not reassessed)
Battle Creek	Other inorganics, Salinity/TDS/ Chlorides	Agriculture Irrigated Crop Production Range Land	Nutrients, Siltation, Other habitat alterations, Algal Growth/Chlor ophyll a Riparian degradation	Agriculture Grazing Related Sources

The following laws and regulations apply for the project under consideration:

75-5-703 (9b) MCA states: "Pending completion of a TMDL on a water body listed pursuant to 75-5-702 new or expanded non-point source activities affecting a listed water body may commence and continue provided those activities are conducted in accordance with reasonable land, soil, and water conservation practices..."

17.30.602 (21) ARM: "Reasonable land, soil, and water conservation practices" means methods, measures, or practices that protect present and reasonably anticipated beneficial uses. These practices include but are not limited to structural and nonstructural controls and operation and maintenance procedures. Appropriate practices may be applied before, during, or after pollution-producing activities."

The beneficial uses of streams defined as B-2 are: "Waters classified B-2 are suitable for drinking, culinary and food processing purposes, after conventional treatment; bathing, swimming and recreation; growth and marginal propagation of salmonid fishes and

associated aquatic life, waterfowl and furbearers; and agricultural and industrial water supply" (17.30.624 ARM).

Standards specific to B-2 waters are: (f) No increases are allowed above naturally occurring concentrations of sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, wild animals, birds, fish, or other wildlife (17.30.624 ARM).

The beneficial uses of streams defined as B-3 are: "Waters classified B-3 are suitable for drinking, culinary and food processing purposes, after conventional treatment; bathing, swimming and recreation; growth and propagation of non-salmonid fishes and associated aquatic life, waterfowl and furbearers; and agricultural and industrial water supply" (17.30.625 ARM).

Standards specific to B-3 waters are: (f) No increases are allowed above naturally occurring concentrations of sediment, settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, wild animals, birds, fish, or other wildlife (17.30.625 ARM).

In addition, MDT should follow ARM 17.30.637 which states: "Pollution resulting from storm drainage, storm sewer discharges, and non-point sources, including irrigation practices, road building, construction, logging practices, over-grazing and other practices must be eliminated or minimized as ordered by the department.



Judy Martz, Governor

P.O. Box 200901 . Helena, MT 59620-0901 . (406) 444-2544 . Website: www.dcq.state.mt.us

February 26, 2004

Karl Helvik Montana Department of Transportation 2701 Prospect Avenue P.O. Box 201001 Helena, MT 59620-1001

RE: Agency Cooperation for the Havre to Fort Belknap Environmental Review

Dear Karl:

Sincerely.

The Department of Environmental Quality will cooperate with the Department of Transportation in its Montana Environmental Policy Act review of the proposed U.S. Highway 2 - Havre to Fort Belknap project.

If you have any questions, send an e-mail or call (444-5263).

From: Colleen Kirby Roberts
To: Savage, Suzanne
Date: 8/23/2004 12:46:16 PM

Subject: Fwd: RE: US 2 - Havre To Fort Belknap EIS

Colleen Kirby Roberts
Planner
David Evans and Associates, Inc.
1331 17th Street, Suite 900
Denver, CO 80202
720-946-0969 ext.115

>>> "Helvik, Karl" <khelvik@state.mt.us> 8/13/2004 12:59:27 PM >>>

Dan - Thank you for your comments and responding in a timely fashion to my email. I'll pass these on to the consultant to enter into the project record for the EIS.

```
> ----Original Message-----
          Dobler, Dan
> From:
> Sent: Friday, August 13, 2004 12:56 PM
> To: Helvik, Karl
> Subject: RE: US 2 - Havre To Fort Belknap EIS
> Karl
> Nothing has changed from the Montana DNRC's viewpoint on this subject.
> will reiterate what I had mentioned before. The MDT will have to obtain a
> right-of-way easement from the DNRC for each tract of state land that is
> involved within the project. If you should need anything further, please
> do not hesitate to contact me at the Havre Unit Office at (406) 265-5236
> or on my cell phone at (406) 390-4287. Thank you for the opportunity to
> comment on this project.
> Dan Dobler
> Unit Manager
> Havre Unit Office
> Northeastern Land Office/DNRC
> 210 6th Ave.
> PO Box 868
> Havre, MT 59501
       -----Original Message-----
      From: Helvik, Karl
      Sent: Friday, July 30, 2004 10:11 AM
      To: Ellerhoff, Thomas; Ryan, Jeff; Dobler, Dan; Satterfield,
> Jim; 'Potts.Stephen@epamail.epa.gov';
> 'Todd.N.Tillinger@nwo02.usace.army.mil'; 'scott_jackson@fws.gov';
> 'cjohnhealysr@hotmail.com'
      Cc: Helvik, Karl; 'cek@deainc.com'; Johnson, Mick; Martin,
> Tom; Paulson, Dale; Burch, Ted
      Subject: US 2 - Havre To Fort Belknap EIS
>
```

```
Greetings!
>
      I think I have talked to each of you before when MDT
> solicited comments on the Administrative Draft EIS back in early May 2004.
> All of you responded with comments very promptly which helped us to
> incorporate those comments into the DEIS that was sent out on June 18,
> 2004 for comments. We are now getting close to the end of the 45 day
> public comment period (August 13, 2004) on the DEIS and once again I would
> like to ask for your assistance in providing comments from your agency.
> These comments will then be taken into consideration in selecting the
> final Preferred Alternative and in preparing the Final EIS. Please
> provide a written response with comments or concurrence on the DEIS from
> your agency by August 13th. This will greatly help us keep the project on
> its tight schedule. You can send them to me at the address below or
> respond to this email. If there are others in your agency that this
> should be sent to, please forward this email to them. If anyone needs
> another copy of the DEIS, we can send that to you too.
>
      Thank you very much for your assistance.
      Karl Helvik, Consultant Project Engineer
      Montana Department of Transportation
      2701 Prospect Avenue
      PO Box 201001
      Helena, MT 59620-1001
      khelvik@state.mt.us
      406-444-5446
```

RECEIVE

OCT 17 2002

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Agency Condition

- Cooperating
agencies

NORTHEASTERN LAND OFFICE



STATE OF MONITANIA

(406) 538-7789 Telephone (406) 538-7780 FAX

October 16, 2002

613 NE MAIN PO BOX 1021 LEWISTOWN, MONTANA 59457-1021

MASTER FILE

COPY

FILE COPY

Jean A. Riley, P.E.
Engineering Section Supervisor
MT DOT
2701 Prospect Ave.
PO Box 201001
Helena, MT 59620-1001

RE: US 2 Havre to Fort Belknap EIS PLH-TCSP 1—6(44)384 Control #4951

Dear Jean

Our Department holds only one parcel of land that extends into your proposed project area. That tract is Section 36, Township 33 North, Range 21 East. It is a Dense Clay Range Site on classified grazing land. The answer to <u>all</u> of your questions is "NO" for this particular tract.

The State does own land north of the RR/RW along the Milk River in Section 1 & 2, of Township 32 North, Rand 17 East. These lands are within the "navigable reach" of the Milk River, but the raised RR bed separates it from your project area.

If you have any other questions, please call me at 406-538-7789

Sincerely,

Barny D. Smith, Lewistown Unit Manager

Northeastern Land-Office, DNRC

NOTE:

Montana Fish, Wildlife, and Parks (MFWP) did not formally decline cooperating agency status on this project. However, their letters dated January 7, 2003 and January 8, 2003 do not request cooperating agency status. Phone and letter correspondence with MFWP on December 6, 2002 and January 7, 2003 did not yield a response from the agency regarding cooperating agency status. MDT and FHWA have assumed, based on the correspondence with MFWP, that the agency is not a cooperating agency on this project.

T. Martin



August 6, 2004

Mr. Karl Helvik, Consultant Project Engineer MDT PO Box 201001 Helena MT 59620-1001

SUBJECT:

US HWY 2 HAVRE TO FORT BELKNAP EIS

PLH-TCSP 1-6 (44) 384, CN 4951 DRAFT EIS FOR PUBLIC REVIEW

Dear Mr. Helvik:

Thank you for the opportunity to comment on the above reference EIS. While preparing this EIS, MDT personnel were in close contact with our fisheries and wildlife biologists in the Havre Area Resource Office, soliciting input on potential impacts to both the fisheries and wildlife resources that could be affected by the proposed highway expansion. The EIS describes these potential impacts to the wildlife and fisheries habitat occurring along the Highway 2 corridor and proposes measures to mitigate significant impacts caused by the various road expansion alternatives. We would respectfully request to be consulted on specific mitigation measures that are required in the future in terms of potential sites and projects such as wetland development and river modifications at bridge crossings and riparian habitat enhancements.

We hope to continue to work together to protect and enhance the wildlife and fisheries resources.

RFC'D AUG 2 0 2004

Sincerely,

Jim Satterfield

Region 6 Supervisor

cc: Al Rosgaard Laura Leslie

Page B-81



Montana Department of Transportation

2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001 David A. Galt, Director Judy Martz, Governor

MASTER FILE

October 28, 2003

Mr. Bill Wiedenheft Region 6 Fisheries Manager Montana Fish, Wildlife and Parks Route 1-4210 Glasgow, MT 59230

Subject: <u>PLH-TCSP 1-6(44)384</u>

US 2 - Havre to Fort Belknap EIS

Control No. 4951

We received your letter dated January 8, 2003 in regards to the US 2, Havre to Fort Belknap project, and the letter dated January 28, 2002 in regards to the previously planned Lohman East & West project. We would like to respond to the questions and concerns discussed in these letters. There will be another opportunity to discuss these issues at the October 30, 2003 agency field review for this project.

Your letter dated January 28, 2002, discusses the importance of improving or maintaining fish passage at the US 2 and the BNSF railroad crossings of Clear Creek and Red Rock Creek. The letter dated January 8, 2003 revisits the conditions at Clear Creek and points out that the rubble dam is a potentially dangerous structure and that this may be a good site for habitat mitigation. The rubble dam lies downstream of the railroad structure. It must be noted that Clear Creek was channel changed in the early 1990's and the dam has acted as a means to stop a head cut from moving upstream through the railroad structure. It is unclear who constructed the dam. MDT prepared an analysis for a replacement structure in 1989, prior to the channel change. If the dam is used to protect the railroad structure then altering the structure for habitat mitigation may not be feasible. Clear Creek bridge will be replaced with a structure capable of fish passage. The structure will be sized appropriately based on hydraulic design. Any changes to the dam on railroad right-of-way is outside the scope of this project. Habitat restoration at Clear Creek within the MDT right-of-way will be considered during design. MDT will also install a structure capable of fish passage at Red Rock Creek. MDT will coordinate with MFWP during the design review and the project development design process for the replacement of structures at Little Box Elder Creek, Lodge Creek, Battle Creek and Fifteen Mile Creek – all drainages of little fisheries consequence.

The January 28, 2002 letter also discusses the importance of sediment control and minimization of in-stream work related to the Milk River bridge replacement during the Bill Wiedenheft October 28, 2003 Page 2

sauger and walleye spawning season. At the Milk River bridge, in-water work from April 1 to May 30 (walleye and sauger spawning period) will be coordinated with MFWP during the project development design process. Work will be completed in accordance with MDT standard specifications and permit conditions.

You state that MFWP is very interested in maintaining the informal fishing access below the Milk River bridge. Fishing access in the railroad right-of-way is outside the scope of this project. MDT will coordinate fishing access and parking at this location with MFWP during the project development design process.

Thank you for bringing our attention to these matters. Please contact Karl Helvik at (406) 444-5446 if you have any further questions or concerns.

Tom S. Martin, P.E.

Consultant Design Engineer

TSM:kmh

Copies Carl S. Peil, P.E. – MDT Preconstruction Engineer
Paul R. Ferry, P.E. – MDT Preconstruction Design Engineer
Michael P. Johnson – MDT District Administrator-Great Falls
Tom S. Martin, P.E. – MDT Consultant Design Engineer
David M. Hill, Chief – MDT Environmental Services Bureau
Darrin G. Grenfell – FHWA Operations Engineer
Mark. A. Goodman, P.E. – MDT Hydraulics Engineer
Glenn Phillips – MFWP, Helena
Precon. File, MDT Preconstruction Bureau

JAN 1 0 2003 ENVIRONMENTAL

January 8, 2003

Jean Riley MT Dept. of Transportation 2701 Prospect Ave. Helena, MT 59620-1001

RE: US 2 to Ft. Belknap EIS PLH-TCSP 1-6(44)384 CONTROL NO. 4951

Dear Ms. Riley,

As per your request for fisheries information along this construction corridor I would like to refer to a letter enclosed which was previously sent to your department relating to a project in the same locality. Our fisheries concerns addressed in the letter to David Larson dated January 28 of 2002 have not changed.

I would like to point your attention toward the rubble dam immediately downstream from the railroad bridge and near US Hwy 2 on Clear Creek. This is a potentially dangerous structure for the road and the railway. The lower creek was channelized many years ago and the dam was obviously placed to stop the head cutting upstream. It also prevents upstream passage of fish. This may be a potential site for some habitat mitigation while at the same time providing for fish passage or improving the limited spawning habitat below.

Thanks for the opportunity to comment.

Sincerely,

Bill Wiedenheft

Region Six Fisheries Manager

MASTER FILE

COPY



January 7, 2003

Montana Dept. Of Transportation Jean A. Riley, P.E. Engineering Section Supervisor Environmental Services PO Box 201001 Helena, Mt. 59520-1001

Subject: US 2 Havre to Fort Belknap EIS

Dear Jean:

1

Thank you for the opportunity to comment on the proposed highway improvement project on Highway 2 between Havre and Harlem. The Montana Fish, Wildlife, and Parks has not acquired and has no immediate plans to acquire lands that may be affected by the project. There also are not lands in this project area that are a part of a publicly owned significant national, state or local park, wildlife refuge, or recreation area. There are also no lands that have been purchased and/or are administered for recreational purposes under Section 6(f) of the National Land & Water Conservation Fund Act (16U.S.C. 460).

Wildlife habitat along the highway corridor between Havre and Harlem is typically Milk River irrigated bottomlands (riparian habitats). This area provides habitat for medium to high density populations of white-tailed deer and pheasants. Some of the backwater slough areas also provide excellent habitat for Canada geese and all species of prairie nesting ducks. In addition shorebirds are abundant in these slough areas and wood ducks nest in cavities in large cottonwood trees that are found along the Milk River. For the most part simply widening the existing roadway should not negatively affect these habitats.

As more specific plans are developed, wetland areas immediately adjacent to the proposed roadway would need to be considered, but impacts should be minimal. Please contact us with specific questions on specific sites.

Sincerely,

Harold Wentland

R-6 Wildlife Manager

arold Wenlland (1/2



January 28, 2002

David C. Larson, P.E.

Montana Department of Transportation
2701 prospect Ave.
PO Box 201001
Helena, MT 59620-1001

RE: Lohman – E &W F 1-7(11)394 Control No. 1314

Dear Mr. Larson,

This is in response to your request for fisheries information relating to the above referenced highway project proposed for US Hwy 2, east of Chinook.

There are two tributaries to the Milk River and one site on the Milk River that contain significant fisheries value and could be impacted by this project.

Clear Creek, on the western edge of the project, is a major tributary, which contains numerous native minnow species in this vicinity. At the present time, a rubble dam immediately downstream from the adjacent railroad bridge prevents upstream movement of migratory species from the Milk River. However, this situation may be rectified in the future and therefore it is imperative that the Clear Creek Bridge be replaced with a similar bridge or bottomless arch capable of fish passage during high spring flows. You may want to inspect the concrete/rubble dam on the downstream railroad right-of-way as failure of this dam will most certainly undercut the existing railroad bridge and any structure you may construct on the highway.

Red Rock Creek, near Chinook, is another tributary of great fisheries significance. To date, eighteen species of fish have been identified in the creek. A species list is attached to this letter. The list includes many native fishes and one species of special concern, the pearl dace. Fish passage is critical at this crossing and a bridge or bottomless arch is recommended for this site.

There are some important items to consider at the site of the Milk River bridge replacement. Several hundred yards below the bridge, at the first bend, is a rather unique rock/gravel riffle that is utilized by spawning walleye and sauger. The sauger is currently listed as a species of special concern in Montana. April and May are critical months for use at this site, which means sediment control is essential and in-stream work must be

held to a minimum during that time period. The area below the existing bridge and upstream to the railroad bridge is an outstanding fishing hole and has been historically used by fishermen for many decades. Access under the bridge and parking is currently available to fishermen. Our department is very interested in maintaining fishermen access within the right-of-way and would like for MDT to consider, in their plans, a way to maintain this existing use. This issue will certainly come up in any public meetings, as it is a popular fishing site.

The other four structures to be replaced are on ephemeral drainages of little fisheries consequence and construction plans will be evaluated during the SPA 124 permit application process.

Thank you for the opportunity to comment and feel free to contact me concerning any access or fisheries issues related to this project.

Sincerely,

Bill Wiedenheft

Region 6 Fisheries manager

Bill Wiedenhft



1-6(44)384
BELKNAN

(N 495)

FILE COPY

P.O. Box 201800 • 1515 East Sixth Avenue • Helena, MT 59620-1800 • fax 406.444.0581 • tel 406.444.3009 • http://nris.state.mt.us

September 23, 2002

Jean A. Riley, P.E. Montana Department of Transportation 2701 Prospect Avenue Helena, Montana 59620-1001

Dear Jean.

I am writing in response to your request for information on plant and animal species of concern in the vicinity of US 2, Havre to Fort Belknap. We checked our databases for information in this general area and have enclosed 4 species of concern reports and one map.

Please keep in mind the following when using and interpreting the enclosed information and maps:

- (1) These materials are the result of a search of our database for species of concern that occur in an area defined by the requested road segment with an additional one-mile buffer surrounding the requested area. This is done to provide you with a more inclusive set of records and to capture records that may be immediately adjacent to the requested area.
- (2) In the report, the term "precision" reflects the quality of the location information. S (second) precision is used when the location of the collection/observation is known within a three-second radius (approximately 10 acres); M (minute) precision is used when the location of the collection /observation is known within a one minute radius (approximately 1.5 miles); and G (general) precision is used when the location of the record/collection is known within a 5 mile radius or to a place name only. Some species locations outside the selection area have imprecisely-known locations and may actually occur within the selection area.
- (3) Location information for animals represents occupied breeding habitat; location information for plants represents known occurrences of plant species, and, like animals, has an implied range that may not be fully conveyed by the mapped data. Most locations are depicted as points, but some, especially those that cover large area, are depicted as polygons on the map. The approximate boundaries of these polygons are color-coded to help differentiate vertebrate classes and plants.
- (4) This report may include sensitive data, and is not intended for general distribution, publication or for use outside of your agency. In particular, public release of specific location information may jeopardize the welfare of threatened, endangered, or sensitive species or communities.
- (5) The accompanying map(s) display management status, which may differ from ownership. Also, this report may include data from privately owned lands, and approval by the landowner is advisable if specific location information is considered for distribution. Features shown on this map do not imply public access to any lands.
- (6) Additional biological data for the search area(s) may be available from other sources. We suggest you contact the U.S. Fish and Wildlife Service for any additional information on threatened and endangered species (406-449-5225). Also, significant gaps exist in the Heritage Program's fisheries data, and we suggest you contact the Montana Rivers Information System for information related to your area of interest (406-444-3345).

(7) The results of a data search by the Montana Natural Heritage Program reflect the current status of our data collection efforts. These results are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys, which may be required for environmental assessments.

We have a new data request system available via the internet. The URL is:

http://nris.state.mt.us/reqapp/userMain.htm

I've assigned your username: jrile

And password: jrile716

You may wish to change the password as a security measure.

I hope the enclosed information is helpful to you. Please feel free to contact me at (406)-444-3290 or via my e-mail address, below, should you have any questions or require additional information.

Sincerely,

Martin P. Miller, Data Assistant

Montana Natural Heritage Program

Mate P. Mills

(martinm@state.mt.us)

9/23/2002

Montana Natural Heritage Program Species of Concern US 2, Havre to Fort Belknap

Scientific Name:

CHARADRIUS MONTANUS

Common Name:

MOUNTAIN PLOVER

Forest Service Status:

PROPOSED THREATENED

PT

Global Rank:

G2

USFWS Endangered Species Act:

State Rank:

S2B,SZN

BLM Status:

SPECIAL STATUS

Occurrence Type:

Species occurrence data:

This is an occurrence that represents two observations of attempted breeding in 1991

Last observation:

1991-07-25

Size (acres):

General site description:

Land owner/manager:

BLM: LEWISTOWN FIELD OFFICE

Comments:

Information source:

FAUNAWEST WILDLIFE CONSULTANTS. 1991. STATUS AND BREEDING DISTRIBUTION OF THE MOUNTAIN PLOVER IN MONTANA. REPORT TO USDI BUREAU OF LAND MANAGEMENT. FAUNAWEST WILDLIFE CONSULTANTS, BOULDER, MT, 44PP.

Survey site name:

County:

BLAINE

USGS quadrangle:

FORT BELKNAP SIDING; HARLEM NW

Precision:

G

Elevation (ft):

Location:

Township\Range:

Section:

TRS comments:

033N021E

24

9/23/2002

Montana Natural Heritage Program Species of Concern US 2, Havre to Fort Belknap

Scientific Name:

PHOXINUS EOS X PHOXINUS NEOGAEUS

Common Name:

NORTHERN REDBELLY X FINESCALE DACE

Forest Service Status:

Global Rank:

HYB

USFWS Endangered Species Act:

State Rank:

S3

BLM Status:

SPECIAL STATUS

Occurrence Type:

Species occurrence data:

15 SPECIMENS COLLECTED.

Last observation:

1984-10-17

Size (acres):

General site description:

UNKNOWN.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

PARTHENOGENIC HYBRID FISH; ALL FISH IN POPULATION ARE SELFING FEMALES. THIS IS A UNIQUE EVOLUTIONARY DEVELOPMENT FOR TEMPERATE FRESHWATER FISH.

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800, HELENA, MT 59620-1800. 406/444-3009.

Survey site name:

LODGE CREEK MOUTH

County:

BLAINE

USGS quadrangle:

CHINOOK

Precision:

M

Elevation (ft):

2400

Location:

LODGE CREEK, NEAR MOUTH, 3 MILES EAST OF CHINOOK, MT.

Township\Range:

Section:

TRS comments:

033N020E

31

SW4

Montana Natural Heritage Program Species of Concern US 2, Havre to Fort Belknap

9/23/2002

Scientific Name:

SEMOTILUS MARGARITA

ommon Name:

PEARL DACE

Forest Service Status:

Global Rank:

G5

USFWS Endangered Species Act:

State Rank:

S2

BLM Status:

SPECIAL STATUS

Occurrence Type:

Species occurrence data:

UNKNOWN.

Last observation:

1984-10-17

Size (acres):

General site description:

UNKNOWN.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE)

Comments:

NONE.

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800,

HELENA, MT 59620-1800. 406/444-3009.

Survey site name: LODGE CREEK MOUTH

County:

BLAINE

USGS quadrangle: CHINOOK

Precision:

M

Elevation (ft):

2400

Location:

LODGE CREEK, NEAR MOUTH, 3 MILES EAST OF CHINOOK, MT.

Township\Range:

Section:

TRS comments:

033N020E

31

SW4

9/23/2002

Scientific Name:

VULPES VELOX

Common Name:

SWIFT FOX

Forest Service Status:

SENSITIVE

Global Rank:

G3

USFWS Endangered Species Act:

(LE)

State Rank:

S3

BLM Status:

SPECIAL STATUS

Occurrence Type:

Species occurrence data:

LIMITED DATA AVAILABLE; BUT PROBABLY AT LEAST 4 BREEDING PAIRS ARE PRESENT. THE BOUNDARIES FOR THIS OCCURRENCE ENCOMPASS ALL REPORTED OBSERVATIONS LOCATED WITHIN 20 KM OF ONE ANOTHER. SPECIFIC OBSERVATION DATA AVAILABLE FROM MTNHP.

Last observation:

1996

Size (acres):

General site description:

ROLLING, GLACIATED MIXED-GRASS PRAIRIE WITH LIMITED SHRUB.

Land owner/manager:

PRIVATELY OWNED LAND (INDIVIDUAL OR CORPORATE); BLM: LEWISTOWN FIELD OFFICE; FORT BELKNAP INDIAN RESERVATION

Comments:

41 OBSERVATIONS IN THE 1980S AND 1990S, INCLUDING 5 OF PUPS OR JUVENILES.

Information source:

ZOOLOGIST, MONTANA NATURAL HERITAGE PROGRAM, 1515 EAST SIXTH AVENUE, P.O. BOX 210800, HELENA, MT 59620-1800. 406/444-3009.

Survey site name:

BORDER PRAIRIE

County:

BLAINE; VALLEY; PHILLIPS; HILL

USGS quadrangle:

(EXTENDS OVER NUMEROUS QUADS)

Precision:

G

Elevation (ft):

Location:

A VERY LARGE AREA MOSTLY NORTH OF THE MILK RIVER FROM CHINOOK TO HINSDALE AND EXTENDING TO CANADA.

Township\Range:

Section:

TRS comments:

037N018E

12

CENTROID--OCCURRENCE EXTENDS OVER

MANY TOWNSHIPS

Ħ Ě nd5 Noursh Heritage was all the server to the se This map displays management status, which may differ from overeratilp Refer to accompanying documentation for full explanation of map feature Montana Species of Concern US 2, Havre to Fort Belknap Features shown on this map do not imply public contact to any and Species locations depicted outsiJe the search area have impre locations and may actually occur within the search area.

University & Institutions County & City Plum Creek

State Trust

Tibal

DFWP

CoE & other DoD

Other USDA

USFWS BIA Trust

Land Status BLM BOR (BuRec)

Biological Data

Animal

Plant

Qther

Private Conservation

Other private

Water

Not all legend lems may occur on map.

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\$

September 23 2002 03mdt0014

Fort Belknap Indian Community



R.R. 1, Box 66 Fort Belknap Agency Harlem, Montana 59526 PH: (406) 353-2205

FAX: Council - (406) 353-4541 FAX: Departments - (406) 353-2797 Fort Belknap Indian Community
(Tribal Govt.)
Fort Belknap Indian Community
(Elected to administer the affairs of the community and
to represent the Assiniboine and the Gros Ventre
Tribes of the Fort Belknap Indian Reservation)

August 12, 2004

Montana Department of Transportation Karl Halvik, Consultant Project Engineer 2701 Prospect Avenue P.O. Box 201001 Helena, MT 59620-1001

Re: Comments on US 2 Havre-Fort Belknap Draft EIS. PLH-H-TCSP 1-6(44)384, CN 4951

Please accept the following as our comments regarding Phase I of the US Hwy #2 Havre – Fort Belknap Draft EIS.

The Fort Belknap Indian Community has supported the concept of a four lane highway along the present route of US Hwy #2 since SB 3's introduction, and continues to support this project. The MT/WY Tribal Leader's Council's has also passed a resolution of support.

We support the 4 lane concept for the potential economic development activities which would require a transportation system that would accommodate such activity, the ever expanding tourism market on the Hi-Line, the increase in agricultural activity, and for health & safety reasons.

The concept of a four lane highway across Montana has been called a vision and or dream of many Montanans. However this is how many projects start out.

I strongly agree with the purpose and need for the project as developed by the CAC and DEA & Assoc. which are to:

Provide an efficient highway to support economic vitality Reduce roadway deficiencies.

Improve safety.

Improve traffic operations.

Infrastructure development

We agree with the CAC recommendation that the corridor be analyzed between Seattle and Minneapolis to give a clearer picture of economic potential in the impacted area, and that the CAC recommendation of 4 lanes on US Hwy #2 across the State of Montana.

Bureau Chief
Consultant Plans Eng
Design Supervision
CTEP:
Heluik
area, and that the
na.

Page B-95

Consultant Design

8/18/0

Routing

Date

The economic analysis conclusions are not well representative when looking at a long-range plan or the impacts of the entire corridor (Minneapolis – Seattle, and taking into consideration the Canadian trade traffic through NAFTA). I do not wholeheartedly agree with the conclusion.

Additional reasons to support a 4 lane highway:

The global economy: If the Hi-line is to be a player in the global economy in regard
to their beef, wheat, oil, and natural gas there must be a good transportation network.
Mix & match alternatives: I support the concept of a four lane divided section in the
rural areas and to narrow down to 2-3 lanes where needed for example through
towns.

The 4 lane highway concept would increase the economy of the area.

Provide a safe arterial for the traveling public.

Better Medical Services to the Hi-Line

Montana State University Northern financial impacts to the communities

Border Station financial impacts to the communities

Homeland Security

- Farm, Ranch and Community Safety
- Commerce between Canada and US
- Aggressive efforts to develop a 24-hour Border Station at Wild horse, north of Havre
- Enhances oil and gas industry
- Develops an alternate trucking corridor to markets for commerce
- Enhance efficiency for emergency services on the hi-line
- Enhance movement of military personnel and equipment across the hi-line
- Enhance tourism

Enhance the Dinosaur Trail

If you should have any questions please call C. John Healy Sr., Transportation Specialist at 406-353-8469, Thank you.

Sincerely,

Darrell Martin, President,

Fort Belknap Indian Community Council

will Mal

Cc: Debra Perkins-Smith, David Evans & Assoc. Inc.

MEMORANDUM OF UNDERSTANDING

between

FILE COPY

THE FORT BELKNAP INDIAN COMMUNITY COUNCIL OF THE GROS VENTRE AND ASSINIBOINE TRIBES OF THE FORT BELKNAP INDIAN RESERVATION

and

THE STATE OF MONTANA, MONTANA DEPARTMENT OF TRANSPORTATION

PREAMBLE

The intent of this AGREEMENT is to initiate a new era of cooperation between the STATE OF MONTANA, MONTANA DEPARTMENT OF TRANSPORTATION (MDT), and the FORT BELKNAP COMMUNITY COUNCIL OF THE GROS VENTRE AND ASSINIBOINE TRIBES OF THE FORT BELKNAP INDIAN RESERVATION, (COUNCIL) supporting Governor Marc Racicot's "PROCLAMATION" dated March 10, 1993, to wit:

WHEREAS, it is desirable to all of us who live in Montana to achieve mutual goals through an improved relationship between sovereign governments, namely the State of Montana and the Indian Nations located within its borders. The respective sovereignty of the State and each federally recognized Tribe provides authority for each to exist and to govern;

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, do hereby affirm that the State of Montana recognizes the fundamental principle and integrity of the government-to-government relationship between the State and the Indian Nations located in Montana, and it is upon this principle that a mutually beneficial approach to conflict resolution must rest.

This agreement is a general agreement and is intended to cover all MDT construction contracts and highway maintenance contracts advertised for bids (hereafter, "projects") that will be located on the Fort Belknap Reservation.

Project Specific Agreements (PSAs) will also be negotiated and entered into by the parties to cover specifics of the individual projects, provided, further, that nothing contained in the PSA shall be inconsistent with or in conflict with this MOU.

The Council and MDT recognize the importance of bridge and highway construction and maintenance for the safety of their people and traveling public and for the economic health, employment and commercial benefit of the Council, State and Region.

MDT recognizes and will honor the unique culture of the Tribes. MDT will recognize the laws of the Council to the extent such recognition is not in conflict with Federal or State Law. If there are conflicts in the law(s), the parties shall use their best efforts to identify with specificity the conflicts

and work together in reviving the conflicts. If any part of this M conflicts with Tribal law, regulations, etc. it is agreed that this MOU supersedes the conflicting portion of the Tribal law, regulation, etc. for the purposes of the MDT projects built under the provisions of this MOU.

The Council and MDT pledge their mutual resolution and positive cooperation for all projects on the Fort Belknap Reservation.

Specific Issues:

I. Construction

A. The Council will be invited to attend and participate in all planning activities for all projects.

B. A mandatory Pre-Bid Conference will be held on the Reservation for all projects. The Council will send a Representative(s) the the Pre-Bid Conference which may include the Council's Transportation Planner and the Council's TERO Director or designated representatives.

The Council's designated representatives will inform MDT and all contractors in attendance at the Pre-Bid Conference of all terms, conditions, requirements or other ordinances affecting MDT, the contractor and/or the construction at, and no later than, the Pre-Bid Conference. The Pre-Bid Conference will inform the potential bidders of <u>all</u> Tribal requirements that will be in effect at the time of the project before they submit their bids. The terms, conditions and requirements identified at the Conference will be those that will be in effect during the term of the project.

- C. The Council will be invited to attend, and the Council will attend and participate in the Preconstruction Conference for all projects.
- D. Regarding the use of gravel, borrow and fill materials for projects covered by this MOU from Tribal sources and/or individual sources, the specific requirements for use of Tribal and/or individually-owned gravel will be set forth in the applicable PSA. The Council and MDT will cooperate in identifying gravel sites on the Reservation, particularly those that may have potential for long term use of both parties.
- E. MDT pledges to work in cooperation with the Council on all environmental issues and specifications. All environmental mitigation will be accomplished as specified in the project's PSA.

There will be "no net loss" of wetlands within the Reservation boundaries unless otherwise agreed to by both parties and so specified in the PSA. Mitigation will be not less than on an acre for acre basis and will be new construction or improvement of existing wetlands. Site locations will be agreed to by both parties in the PSA.

F. The Council and MDT recognize that Prime and/or subcontractor preferences cannot be granted. The Council exempts MDT from any existing or potential contractor and subcontractor ordinance, regulation or requirement.

II. Tribal Employment

A. Indian preference in employment on all projects located on the Reservation will be in accordance with the Tribes' TERO Ordinance in effect at the time of execution of that project's

PSA, except as specified herein. All hires are to be through the 1 ribal TERO Office, except that when qualified workers are not available within two working days, contractors are allowed to utilize other recruitment sources.

- B. Indian preference in employment will not be enforced upon a contractor's or subcontractor's core crew. "Core crew" is defined as a regular permanent employee that is either in a supervisory position or another key position such that the employer would risk likely financial damage or loss if the position was filled by a person who had not previously worked for that firm. A "regular permanent employee" is one who was on the contractor's payroll for the prior construction season, or is presently an owner of the firm, in contrast with a person who is hired on a project-by-project basis. Contractors that have questions whether an employee qualifies as "core crew" must raise the question during the pre-bid conference.
- C. For the on-Reservation construction contracts covered by this MOU, a Tribal TERO fee of three percent (3%) of the total contract cost will be assessed by the Council. MDT will collect this fee for the Council by withholding three percent (3%) from each progress and final payment to the contractors. MDT will then submit payment to the Council. Except for the Council' TERO fee and the Tribal Business License and Application fee, no other Tribal fees, taxes or permits will be assessed against MDT prime contractors or subcontractors, MDT's prime contractor or subcontractor employees, or anyone else working on MDT's project. No Tribal fees, taxes or permits will be assessed against the MDT or its employees, unless State of Montana vs. King, a suit now pending in the Ninth Circuit Court of Appeals, is finally and fully adjudicated to allow such assessments. Prime contractors and subcontractors will be required to obtain and maintain such Tribal Business Licenses as are presently required by Tribal Law.
- D. MDT recognizes that the Federal Highway Administration has interpreted Title VII of the Civil Rights Act as not permitting an Indian preference in federal highway construction contracting. MDT recognizes that this interpretation has no bearing on the well-settled policy of preferential employment of Indian employees on or near reservations. MDT will emphasize Montana's commitment to Indian employment as a means of strengthening Tribal communities when granting prime and subcontracts for these projects on or near reservations, and for projects near the reservation, will set forth hiring goals through specific PSAs.
- E. MDT will work with the Tribes to recognize TERO certification of Indian contractors for Disadvantaged Business Enterprise (DBE) certification for work on the projects. The Tribes' DBE Goal Setting Committee representative shall be the TERO Director or designated representative. DBE goals will be established for the projects to reflect the construction capabilities of the DBE firms.
- F. MDT will continue to work with the Tribes to increase the minority employment opportunities for Native American workers on these projects.
- G. Trainees on federal-aid highway projects will be selected from a list provided by TERO from their apprenticeship program. The number of trainee positions for a project will be specified in the PSA.

III. Duration

This agreement shall be for a term of five (5) years, subject to the renewal provision of paragraph IV, unless terminated in writing by either party upon no less than sixty (60) days written

notice to the other.

The parties agree that, if any portion of this MOU is declared invalid or is otherwise determined to be unenforceable, the remainder of this MOU will remain in force and effect.

IV. Amendments, Renegotiation and Renewal

A. Any change, addition or modification affecting this MOU shall only be made in writing with the concurrence of both the Council and MDT.

B. Approximately six (6) months prior to the expiration of the initial five year term of this MOU, the parties shall meet to negotiate in good faith a renewal of the MOU for an additional five-year term, and thereafter shall meet to negotiate successive five-year renewals of the MOU. The parties in each negotiations of a renewal term shall seek to agree on any outstanding issues which have presented concerns pursuant to the terms and conditions of this MOU. The parties shall also seek to resolve any matters which may be of concern to future implementation of this MOU.

V. Liaison

The Director of MDT or designee will be the Liaison for MDT. All notices and communications between the parties with respect to this MOU shall be directed to both the Director and his designee, whose name shall be provided to the Council.

The Tribal President or designated representative will be the Liaison for the Council. All notices and communications between the parties with respect to this MOU shall be directed to the Tribal President, with copies to the above designee.

VI. Official Notice

Official notice required in this MOU shall be mailed postage prepaid to the following addresses, with copies to the Liaison for the parties:

Mr. Joe McConnell, President Fort Belknap Community Council Fort Belknap Agency PO Box 249 Harlem, MT 59526-0249

Mr. Marvin Dye, Director Montana Department of Transportation PO Box 201001 Helena, MT 59620-1001

VIII. Signatures

Tribal President

- House I resident

Approved for Legal content:

Attorney for Fort Belknap Tribes

Director, MDT

Date:__

1998

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Joseph P. Mazurek
Attorney General, State of Montana

Date: 3-25-99

Bureau of Indian Affairs Acting Area Director Date: <u>73</u>, 1998 99-



Montana-Wyoming Tribal Leaders Council

207 North Broadway, Suite BR-2, Billings, MT 59101-1951 Phone (406) 252-2550 Fax (406) 254-6355 WWW http://tlc.wtp.net

Resolution No. 017

RESOLUTION SUPPORTING THE EXPANSION OF HIGHWAY 2 BETWEEN HAVRE AND FT. BELKNAP

WHEREAS, the Montana-Wyoming Tribal Leaders Council (MWTLC) has been created for the Express purpose of providing the Indian Tribes of Montana and Wyoming with a Unified Voice and Collective organization to address Issues of Concern to the Tribes and Indian people on a state and national level, and

WHEREAS, the MWTLC is comprised of duly authorized representatives of their respective Tribal Governments, and

WHEREAS, transportation is a vital part of the Reservations infrastructure and adequate transportation facilities are essential to sustain and maintain the social and economical well being of Tribal members and to provide the essential services required to meet their needs, and

WHEREAS, the Transportation Sub-committee and the MWTLC are aware of efforts by the Highway 2 Association in reference to the 4 for 2 Project, in that it may revitalize economic activities along the Hi-Line and on the four Indian Reservations. The transportation sub-committee realizes that transportation and economics are a vital part of our intrastructure, and

WHEREAS, the MWTLC is aware that there has been a Draft Environmental Impact Statement (DEIS), issued on Phase I of this project, and

THERFORE BE IT RESOLVED, that the Montana Wyoming Tribal Leaders Council supports the concept of the project and the recommendation by the Montana Department of Transportation that US Highway #2 be expanded to four (4) lanes between Havre and Fort Belknap.

CERTIFICATION

We, the undersigned, as Chairman and Secretary of the Montana-Wyoming Tribal Leaders Council do hereby certify that the luregoing resolution was duly presented and passed by a vote of (_) in Favor and (②) opposed with (②) Abstentions at a duly convened meeting of the MT-WY Tribal Leaders Council held on the 30th Day of June, 2004 at the Charging Horse Casino of the Northern Cheyenne Tribe, Lame Deer, Montana.

geri Small, Chair

MT-WY Tribal Leaders Council

Ervin Carlson, Secretary MT-WY Tribal Leaders Council

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BLAINE COUNTY COMMISSIONERS

Collan

Don K. Swenson, Chairman Arthur Kleinjan Dolores Plumage

P.O. Box 278 (406)357-3250

Chinook, Montana 59523-0278

1-24-03

David Evens & Associate Attn: Suzanne Savage 1331 17th Street Suite 900 Denver, Co 80202



REC'D JAN 3 1 2003

Project Goals and Objectives on U.S 2

Dear David Evens & Associates

After the C.A.C meeting 1-22-03 at Fort Belknap and reviewing the project goals and objectives on U.S 2 the Blaine County Commissioners cannot support figure 14. (Southern Corridor Bypass) or figure 16 (Chinook Southern Bypass).

Figure 14 completely bypasses the towns of Chinook and Harlem. If figure 14 happens it will put the final nail in the coffin and these two communities will die.

Figure 16 will go south of the city of Chinook. The majority of the businesses in Chinook are located near or on U.S 2. This proposal will force all the traffic though the residential part of town. The area south of Chinook is also in a flood zone and this will add an additional cost to this project.

.

Respectfully:

Blaine County Commissioners,

Don K Swenson, Chair

Arthur Kleinjan

Dolores Plumage

US 2 DRAFT EIS - COMMENT SHEET

We want to hear your comments on the Draft Environmental Impact Statement for the US 2, Havre to Fort Belknap project. Please return this comment form to:

Karl Helvik, Consultant Project Engineer Montana Department of Transportation 2701 Prospect Avenue, P.O. Box 201001 Helena, MT 59620-1001

You can also provide comments on the website: www.mdt.state.mt.us/environmental/eis-ea/

Contact Information (Please print) Check here if you wish to be added to the Project Mailing Lists [7]	
Check here if you wish to be added to the Project Mailing List: Name: BLO DEHMCKE MAYON OF CLAR	n bonla
Mailing Address:	7000A/
City, State, Zip:	
Comments A LANG IS NEGOED	
TO BE PHOSED WITH THE	-
DEMAND.	-
	-
	Page B-104

(Continue on back, if necessary)

Joe Deb File

RESOLUTION NO. 695

WHEREAS, on or about February 24, 2003, the City of Chinook received notification from the Montana Department of Transportation by letter dated February 20, 2003 that it was considering two alternate plans for US Highway 2, Havre to Fort Belknap, both of which would bypass the community of Chinook. Those alternative projects were designated the Southern Corridor Bypass and the Chinook Southern Bypass.

WHEREAS, the applicable statute, MCA §60-2-211 requires prior consent from an incorporated municipality such as Chinook to allow bypass of such a community by such a project; and

WHEREAS, the Chinook City Council deems that any such proposed bypass would be adverse to the community's best interests; and

WHEREAS, the City Council's response to this notification is required to be in the form of a resolution duly adopted by a majority of the members of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS

- 1) The Chinook City Council refuses to allow the bypass of the community of Chinook as proposed by the Southern Corridor Bypass proposal; and
- 2) The Chinook City Council refuses to allow the bypass of the community of Chinook as proposed by the Chinook Southern Bypass proposal; and
- 3) The Chinook City Council deems any proposed highway bypass of its community to be adverse to the community's best interests and understands that by adopting this resolution of refusal, that these alternatives will be eliminated from further study in the US 2, Havre to Fort Belknap environmental impact statement.

PASSED, APPROVED AND ADOPTED by unanimous vote this _____ day of March. 2003.

William P. Oehmcke, Mayor

ATTEST:

Lorraine Mulonet, City Clerk/Treasurer

CITY OF HARLEM

RESOLUTION NO. 2-03-01

A RESOLUTION REQUESTING THAT THE CITY OF HARLEM BY A PART OF US 2 IMPROVEMENTS AND NOT BE BYPASSED.

WHEREAS, on or about February 24, 2003, the city of Harlem received notification from the Montana Department of Transportation by letter dated February 20, 2003 that it was considering two alternate plans for US Highway 2, Havre to Fort Belknap, both of which would bypass the community of Harlem.

WHEREAS, MCA 60-2-211 requires prior consent from an incorporated municipality such as Harlem to allow bypass of such a community by such a project, and

WHEREAS, the city council deems that any such proposed bypass would be adverse to the community's best interest, and

WHEREAS, the city council's response to this notification is required to be in the form of a resolution duly adopted by a majority of the members of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED that the city of Harlem refuses to allow the bypass of the community of Harlem as proposed by the Montana Department of Transportation.

PASSED AND ADOPTED by a unanimous vote this <u>5</u> day of May 2003.

Jason Gibson, Mayor

ATTEST:

0

Ralph Schneider, Clerk/Treasurer



September 2004

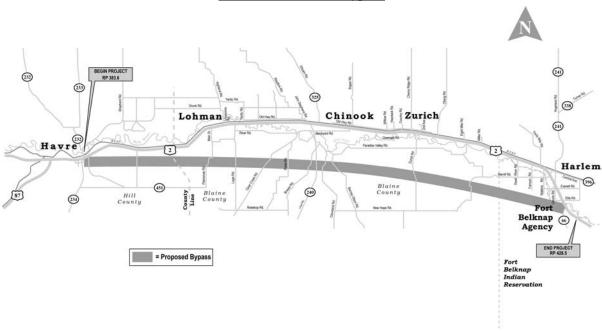
APPENDIX C – Alternatives Considered but Eliminated

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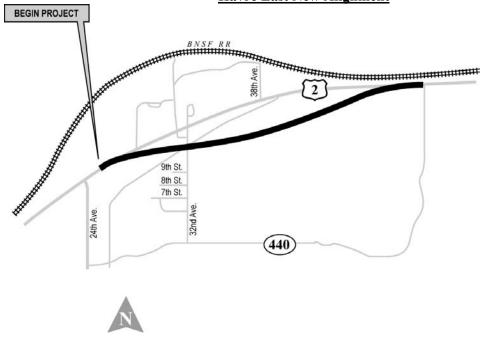
CORRIDOR ALTERNATIVE ELIMINATED

Southern Corridor Bypass



LOCALIZED ALTERNATIVES ELIMINATED

Havre East New Alignment

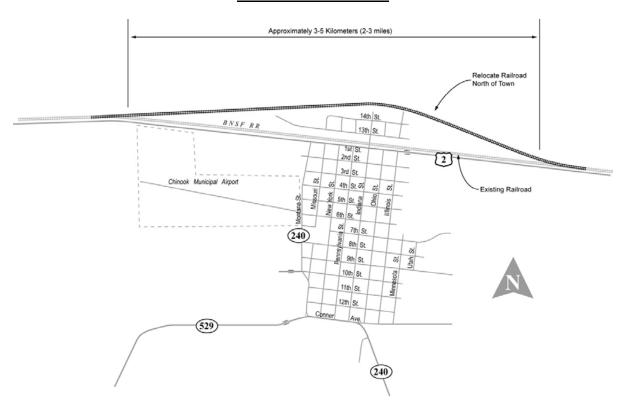




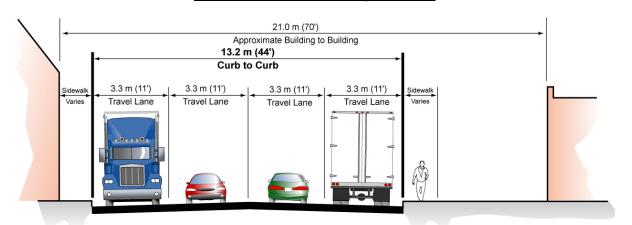
Chinook Southern Bypass



Chinook Move Railroad



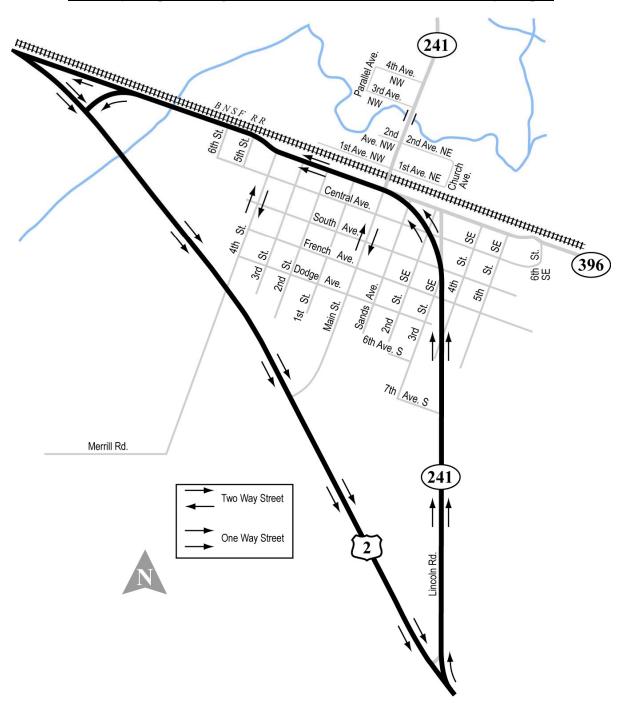




Chinook One-Way Couplet 14th St. 2nd St. 2} 3rd St. 4th St. Š. 5th St. Š New York S. Illinois Ohio 6th St. 7th St. (240) 8th St. Šť. S. 9th St. Utah 10th St. 11th St. 12th St. Conner Ave.

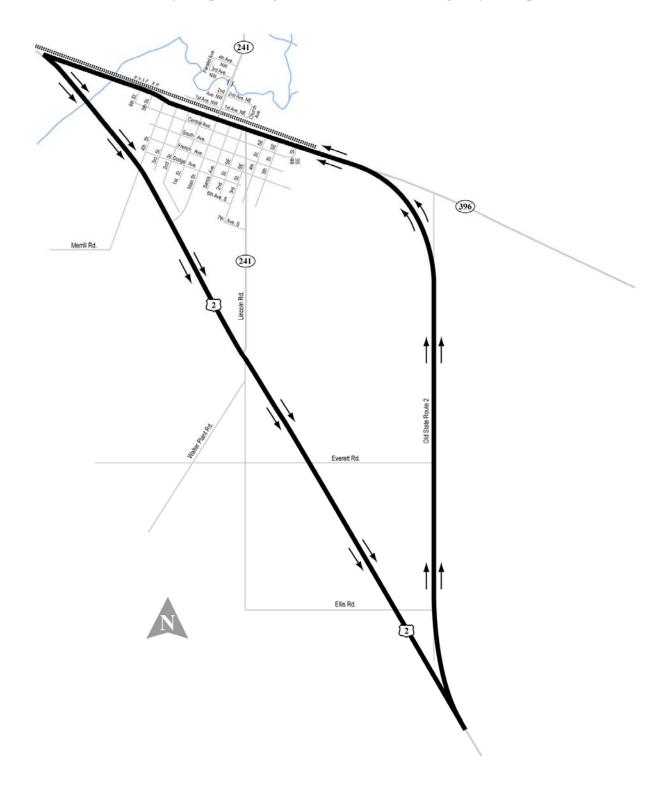


One-Way Couplet through Harlem - Harlem Lincoln Road One-Way Couplet



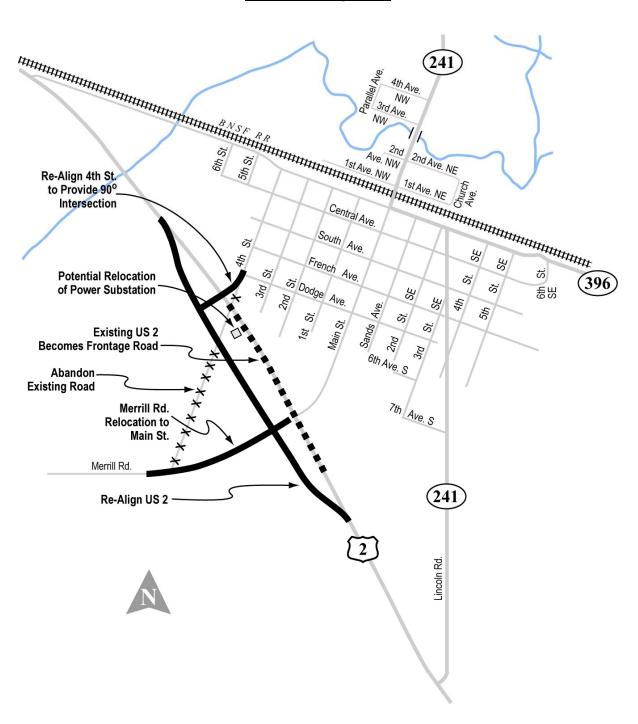


One-Way Couplet through Harlem - Harlem Old Highway 2 Couplet





Harlem Frontage Road



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September 2004

APPENDIX D – Farmland Conversion Impact Rating (Form AD-1006)

Please note the following:

Site A = Improved Two-Lane Alternative

Site B = Improved Two-Lane with Passing Lanes Alternative

Site C = Four-Lane Undivided Alternative

Site D = Four-Lane Divided Alternative

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U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)			and Evaluation	Reque	st 9/9/03		
Name Of Project US 2 - Havre to Fort Belknap			Federal Agency Involved Federal Highway Administration				
Proposed Land Use Roadway Right-of-Way			nd State Bla	ine Co	unty, Montana		
PART II (To be completed by NRCS)		Date Req	uest Received	By NRC	CS		
Does the site contain prime, unique, statewide or local important farmlar (If no, the FPPA does not apply do not complete additional parts of the			Yes No Acres Irrigated Average Far 75000 4162			arm Size	
Major Crop(s) wheat, barley, alfalfa hay Farmable Land In Gov			on % 63		Amount Of Farm Acres: 89	nland As Dei 7504	fined in FPPA %3
Name Of Land Evaluation System Used Productivity Index	Name Of Local Sit	e Assessment	System	1	Date Land Evalu	uation Return 23/03	ned By NRCS
ART III (To be completed by Federal Agency)			Cit- A		Alternative Sit		
A. Total Acres To Be Converted Directly			Site A	58	Site B	Site C 2.7	Site D 82.3
B. Total Acres To Be Converted Indirectly			0.3	0.			0.5
C. Total Acres In Site			55.5			3.2	82.8
PART IV (To be completed by NRCS) Land Eval	uation Information						J
A. Total Acres Prime And Unique Farmland			48.8	51	.1 54	1.9	69.4
B. Total Acres Statewide And Local Important	Farmland		6.4	7.			12.9
C. Percentage Of Farmland In County Or Loc		Converted	0.0	0.			0.0
D. Percentage Of Farmland In Govt. Jurisdiction Wi			29.0			9.0	29.0
PART V (To be completed by NRCS) Land Evaluative Value Of Farmland To Be Converged (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in	erted (Scale of 0 to	100 Points) Maximum Points	67	67	67		67
Area In Nonurban Use	7 07 1 1 000.0(5)	1 0 1110	15	15	15		15
Perimeter In Nonurban Use			5	5			1.0
Percent Of Site Being Farmed		 	17	16			-
4. Protection Provided By State And Local Go	vernment		0	0	0		C
5. Distance From Urban Builtup Area			0	0	0	2	0
6. Distance To Urban Support Services			0	0	0		0
7. Size Of Present Farm Unit Compared To A	verage		0	0	0	7.	0
Creation Of Nonfarmable Farmland	······································		0	0	0		0
9. Availability Of Farm Support Services			5	5	5		5
10. On-Farm Investments			0	2	3		2
11. Effects Of Conversion On Farm Support Se	ervices		0	0	0	1.	0
12. Compatibility With Existing Agricultural Use			0	0	0		0
TOTAL SITE ASSESSMENT POINTS		160	42	43	44		42
PART VII (To be completed by Federal Agency)							
Relative Value Of Farmland (From Part V)			67	67	67	,	67
Total Site Assessment (From Part VI above or a loca site assessment)	İ	160	42	43	44		
TOTAL POINTS (Total of above 2 lines)		260	109	11	0 1	11	
Site Selected: To be determined	Date Of Selection			W	as A Local Site A Yes		Jsed? No 🔳

(See Instructions on reverse side) Form AD-1006 (10-83)

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of La	and Evaluation F	Reque	st 9/9/03			
Name Of Project US 2 - Havre to Fort Belknap Proposed Land Use Roadway Right-of-Way			Federal Agency Involved Federal Highway Administration					
			County And State Hill County, Montana					
PART II (To be completed by NRCS)		Date Requ	uest Received B	y NRC	S			
Does the site contain prime, unique, statewide of (If no, the FPPA does not apply do not complete the contained of the con	or local important fam lete additional parts	nland? of this form	Yes	No	Acres Irrigated	d Average F	arm Size	
Major Crop(s) winter wheat, spring wheat, barley Acres: 1505252			on % 81			rmland As De 250364	fined in FPPA % 67	
Name Of Land Evaluation System Used productivity index	Name Of Local Site	Assessment S	System		Date Land Eva	aluation Return 0/23/03	ned By NRCS	
PART III (To be completed by Federal Agency)					Alternative S			
A. Total Acres To Be Converted Directly			Site A	21	Site B	Site C	Site D	
B. Total Acres To Be Converted Indirectly			0.0	0.0		32.9	45.8	
C. Total Acres In Site			0.0	0.0	-	0.0	0.0	
PART IV (To be completed by NRCS) Land Evalu	ation Information							
A. Total Acres Prime And Unique Farmland			8.6	8.0	6	10.1	13.4	
B. Total Acres Statewide And Local Important I	Farmland		22.1	22		22.8	32.4	
C. Percentage Of Farmland In County Or Local		onverted		1			UZ.4	
D. Percentage Of Farmland In Govt. Jurisdiction With			56.0	56	5.0	56.0	56.0	
PART V (To be completed by NRCS) Land Evaluative Value Of Farmland To Be Converted by Federal Agency) Site Assessment Criteria (These criteria are explained in 7	ted (Scale of 0 to 10	00 Points) Maximum Points	57	57		57	57	
Area In Nonurban Use	0/ / (000.0(b)	1 01113	13	13		13	13	
Perimeter In Nonurban Use			5	4		5	5	
Percent Of Site Being Farmed			0	0)	0	
Protection Provided By State And Local Gov	vernment		0	0)	0	
5. Distance From Urban Builtup Area			0	0)	0	
6. Distance To Urban Support Services			0	0) , ,	0	
7. Size Of Present Farm Unit Compared To Av	erage		0	0)	0	
8. Creation Of Nonfarmable Farmland			0	0)	0	
9. Availability Of Farm Support Services			5	5		5	5	
10. On-Farm Investments			0	1		1	0	
11. Effects Of Conversion On Farm Support Ser	vices		0	0)	-	
12. Compatibility With Existing Agricultural Use			0	0)	-	
TOTAL SITE ASSESSMENT POINTS		160	23	23		24		
PART VII (To be completed by Federal Agency)								
Relative Value Of Farmland (From Part V)		100	57	57	:	57	57	
Total Site Assessment (From Part VI above or a local site assessment)		160	23	23		24		
TOTAL POINTS (Total of above 2 lines)		260	80	80		81	80	
Site Selected: To be determined Date Of Selection				Wa	as A Local Site Yes		Jsed? No ■	

(See Instructions on reverse side) Form AD-1006 (10-83)



September 2004

APPENDIX E – 404 Permit Evaluation

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SECTION 404(b)(1) EVALUATION
US 2, HAVRE TO FORT BELKNAP
PLH-TCSP 1-6(44)384
C.N. 4951

Prepared for:

Montana Department of Transportation

Prepared by:

DAVID EVANS AND ASSOCIATES, INC. 1331 17th Street Suite 900 Denver, CO 80202

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US 2, HAVRE TO FORT BELKNAP
PLH-TCSP 1-6(44)384
C.N. 4951
APPLICANT: APPLICATION NUMBER: PROJECT:
Prepared for:
Montana Department of Transportation
Prepared by:
Kristen Andersen Biologist
DAVID EVANS AND ASSOCIATES, INC. 1331 17 th Street Suite 900

SECTION 404(b)(1) EVALUATION

September 2004

Denver, CO 80202

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SECTION I. INTRODUCTION

The 404(b)(1) guidelines included in Title 40 of the Code of Federal Regulations, Part 230, provide the substantive criteria used in evaluating discharges of dredged or fill material in waters of the United States under Section 404 of the Clean Water Act. These criteria are applicable to all 404 permit decisions. The 404(b)(1) guidelines establish that dredged or fill material should not be discharged into the aquatic ecosystem unless it can be demonstrated that such discharges would not have unacceptable adverse impacts either individually or in combination with known and/or probable impacts of other activities affecting the ecosystem.

Section 230.10 of Subpart B of the 404(b)(1) guidelines establishes four conditions that must be satisfied to make a finding that a proposed discharge complies with the guidelines. These conditions include:

- a) Except as provided under Section 404(b)(2), no discharge of dredged material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences;
- b) No discharge of dredged or fill material shall be permitted if it violates state water quality standards, Section 307 of the Clean Water Act, or the Endangered Species Act of 1973;
- c) No discharge of dredged or fill material shall be permitted which will cause or contribute to significant degradation of the waters of the United States; and
- d) Except as provided under section 404(b)(2), no discharge shall be permitted unless appropriate and practicable steps have been taken which will minimize adverse impacts of the discharge on the aquatic ecosystem.

Adverse impacts may be offset by compensatory mitigation to bring the proposed project into compliance with the 404(b)(1) guidelines. Impacts must be avoided to the maximum extent practicable and remaining unavoidable impacts will then be mitigated to the extent appropriate and practicable by taking steps to minimize impacts and compensate for the loss of aquatic resource functions and values.

Section 230.11 sets forth the factual determinations which must be considered in determining whether a proposed discharge satisfies the four conditions of compliance. These determinations are contained in the following sections of this evaluation.



SECTION II. PROJECT DESCRIPTION

A. LOCATION

The project area is located in Hill and Blaine Counties, in northeastern Montana. The project begins at the end of the curb and gutter section east of Havre in Hill County at Reference Post (RP) 383.655, and extends east for 72 kilometers (km) (45 miles (mi)) to RP 428.518 just southeast of Fort Belknap in Blaine County. The project corridor also passes through the towns of Lohman, Chinook, and Zurich. The width of the study area along the corridor generally extends from the north side of the Burlington Northern Santa Fe (BNSF) Railway right-of-way to approximately 244 meters (m) (800 feet (ft)) south of the US 2 existing pavement. The study area also extends south on MT Highway 66 located near the eastern terminus of the project to encompass transitions to the intersection with US 2. Figure 1 shows the location of the project corridor.

B. GENERAL DESCRIPTION

The Montana Department of Transportation (MDT) in cooperation with the Federal Highway Administration (FHWA) is proposing to provide improvements to US 2 that provide an efficient highway to support economic vitality, reduce roadway deficiencies, improve safety, and improve traffic operations. The project would consist of a full reconstruction with new horizontal and vertical alignments. Replacing the aging US 2 facility with an efficient and safe highway would benefit local communities, agriculture, industry, commerce and tourism. The project would fit the physical setting of the area in order to preserve and enhance the area's scenic, cultural, historic, environmental and commercial resources.

An Environmental Impact Statement (EIS) has been prepared to examine various alternatives for improving transportation in the corridor and to identify the associated environmental impacts from these alternatives. Figures depicting the alternatives are shown in the EIS. A brief discussion of the alternatives is provided below.

No-Build Alternative

The No-Build Alternative would provide no improvements to US 2 from Havre to Fort Belknap. The existing roadway deficiencies, including narrow shoulders, obstruction in the clear zone and steep side slopes would not be addressed. The alternative would not improve safety or traffic operations in the corridor. It is assumed that maintenance of the facility would continue under this alternative.

Improved Two-Lane Alternative

This alternative would consist of two 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders in rural segments of the project corridor. This typical section represents MDT's standard minimum width for a rural Non-Interstate National Highway System highway. The section would differ in the urban areas of the corridor. The Havre east segment would serve as a



transition area between the existing four-lane section in Havre and the improved two-lane section to the east. Through Chinook, the section would remain within the existing curb lines and would accommodate two travel lanes and two shoulder/parking lanes. In Harlem, the highway section would include two travel lanes, a center turn lane or a series of left turn lanes, and westbound acceleration and deceleration lanes where needed. In Fort Belknap, the section would resemble the existing configuration, with two travel lanes and acceleration and deceleration lanes where needed. Intersection improvements would be incorporated in rural sections and in communities where warranted by traffic operations or railroad crossing conditions.

Improved Two-Lane with Passing Lanes Alternative (Preferred Alternative)

This alternative would consist of two 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders with a system of intermittent 3.6 m (12 ft) passing lanes in certain locations in the project corridor. The system of passing lanes would provide an additional margin of safety and operational efficiency over the Improved Two-Lane Alternative. Passing lanes would clear traffic around slower vehicles exiting communities and in several locations in rural sections in the corridor. The total roadway section width would be 12 m (40 ft) in two-lane sections and 15.6 m (52 ft) in three-lane sections.

The section would differ in the urban areas of the corridor. The Havre East segment would serve as a transition area between the existing four-lane section in Havre and the improved two-lane section to the east. Through Chinook, the section would remain within the existing curb lines and would accommodate two travel lanes and a center turn lane with limited on-street parking in select locations. Through Harlem and Fort Belknap, the highway section would resemble the section described for the Improved Two-Lane Alternative. Intersection improvements would be incorporated in rural sections and in communities where warranted by traffic operations or railroad crossing conditions.

This alternative with passing lanes was selected by MDT and FHWA as the preferred alternative because of the increased safety and operational efficiency over the Improved Two-Lane Alternative. In addition, this alternative provides travel efficiency for the traveling public that is comparable to the four-lane alternatives, while incurring fewer environmental impacts.

Four-Lane Undivided Alternative

This alternative would consist of four 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders in rural segments of the project corridor. There would be no median dividing opposing travel lanes, and the total roadway section width would be 19.2 m (64 ft).

In the Havre East segment, the highway would consist of four travel lanes with a center turn lane or series of left turn lanes. Through Chinook, the four-lane section would consist of four travel lanes and two shoulder/parking lanes. The highway would maintain its current north curb line and expand south beyond the current south curb line. Through Harlem, the section would consist of four travel lanes and a center turn lane or series of left turn lanes. The Fort Belknap segment would serve as a transition area between the existing two-lane section south



of MT Highway 66 and the improved four-lane section to the north. Intersection improvements would be incorporated in rural sections and in communities where warranted by traffic operations or railroad crossing conditions.

Four-Lane Divided Alternative

This alternative would consist of four 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders, divided by an 11 m (36 ft) median with 1.2 m (4 ft) inside shoulders in the rural segments of the project corridor. The total roadway section width would be 30.2 m (100 ft). Intersection improvements would be incorporated in rural sections and in communities where warranted by traffic operations or railroad crossing conditions.

This section would differ in the urban areas of the corridor. The Havre East segment would consist of four travel lanes and a center turn lane or series of left turn lanes. In Harlem the section would consist of four travel lanes with a center turn lane or series of left turn lanes. The Fort Belknap segment would serve as a transition area between the existing two-lane section south of MT Highway 66 and the new four-lane section to the north.

In Chinook, the section would consist of four travel lanes with a center turn lane and two shoulder/parking lanes. The railroad crossing at Indiana Street would be improved by shifting the highway centerline south 23 m (75 ft) to provide an increased offset from the railroad to improve safety.

Additional Improvements Common to All Alternatives

Context-sensitive design concepts would be incorporated into the four build alternatives. Common design treatments for elements such as landscape and entry features in communities, pedestrian crossings, and signage along US 2 would enhance corridor identity through consistency and would simplify information interpretation for highway users. For all alternatives, bicycle paths would be provided east of Havre, west of Chinook, and between Harlem and Fort Belknap.

C. AUTHORITY AND PURPOSE

The Montana Transportation Commission has authorized environmental study for US 2 between Havre and Fort Belknap in response to Montana Code Annotated (MCA) 60-2-133 which directs the Transportation Commission to direct the Montana Department of Transportation to construct a four-lane highway across Montana on US 2. Prior to MCA 60-2-133, safety and traffic improvements had been identified for this segment of US 2. Current roadway deficiencies include narrow shoulders, obstructions in the clear zone and steep sideslopes. In addition, the provision of acceleration, deceleration and turn lanes and increasing the distance between the highway and railroad crossings would improve safety and traffic operations. The environmental impact statement to evaluate these improvements is being carried out under the auspices of the MDT with oversight and regulatory control from the Federal Highway Administration (FHWA). FHWA is providing the majority of funding for this project through allocations to MDT.

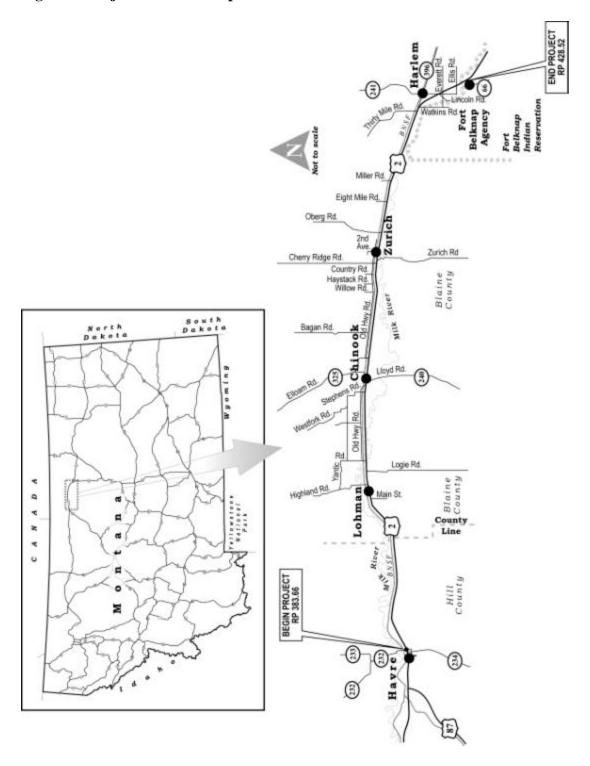


This project would provide highway improvements to US 2 that meet the following needs:

- Provide an efficient highway to support economic vitality,
- Reduce roadway deficiencies,
- Improve safety, and
- Improve traffic operations.



Figure 1. Project Location Map



D. GENERAL DESCRIPTION OF THE DREDGED OR FILL MATERIAL

1) <u>General Characteristics of Material</u>: Although no soil borings have been taken in the project corridor, the Soil Surveys of Hill County (USDA, 1989) and of Blaine County and Parts of Phillips County (USDA, 1986) mapped 34 soil series underlying the project area (Table 1).

Table 1: Soil Series Occurring in the Project Area

Hillon loam, 15 to 25 percent slopes	Harlem silty clay, saline Havre Variant-Lardell silty clay loams Ustic torrifluvent wet		Ustic torrifluvents, wet	Kevin-hillon clay loams, 2 to 8 percent slopes
Hillon loam, 25 to 60 percent slopes	Harlem Variant- Lardell silty clay loams	Havre loam, 0 to 2 percent slopes	Cabbart-rock outcrop complex, 25 to 60 percent	Telstad-joplin loams, 0 to 4 percent slopes
Nishon clay loam	Havre loam Lardell silty clay loam Cabbart-hillon loam 25 to 60 percent slopes		-	Scobey-hillon clay loams, 0 to 2 percent slopes
Glendive fine sandy loam	Havre loam, saline	Yamacall loam, 0 to 4 percent slopes	Hillon-kevin loams, 8 to 15 percent slopes	Havre-harlake clay loams, 0 to 2 percent slopes
Hanly loamy fine sand	Havre silty clay loam	Harlake clay, 0 to 2 percent slopes	Hillon-joplin loams, 8 to 15 percent slopes	Glendive fine sandy loam, calcareous, 0 to 2 percent
Harlem silty clay loam	Havre silty clay loam, saline	Kremlin loam, 0 to 4 percent slopes	Hanly loamy fine sand, 0 to 2 percent slopes	Bowdoin clay
Harlem silty clay	Havre, Hanly, and Glendive soil	Telstad-Joplin loam, 0 to 4 percent slopes	Joplin-hillon loams, 2 to 8 percent slopes	

The *Preliminary Geotechnical Evaluation*, August 14, 2003, Terracon (on file with MDT) indicates that Quaternary Age alluvium primarily consisting of fine-grained sand, silt, and clay, covers the Milk River Valley. The foothills are predominantly Cretaceous Age shale and sandstone associated with the Judith River Formation. Glacial drift often masks the Judith River Formation and may also be present. Slopes of the project vary from level to moderate with level conditions being the most common.

2) Quantity of Material: The majority of the wetland encroachments or fills in wetland areas will be the result of the reconstructed highway crossing riparian areas. Most will be encroachments transversed to the direction of stream flow. Therefore, most encroachments would involve approach fills, construction of abutments and piers for bridges, or placement of fill over culverts and other required grading necessary for the crossings. Elsewhere, encroachment into wetland areas would result from widening the highway to accommodate wider shoulders or additional lanes with wider shoulders.

Wetland discharge sites that occur within riparian areas are associated with surface water sources, such as streams and creeks. Other discharge sites are wetlands that occur in the



non-riparian areas and are supported by groundwater or irrigation sources. There are 30 bridges or culvert crossings in the project area that are proposed for replacement as part of the proposed project under the build alternatives. In addition, under the four-lane alternatives, new bridges would be constructed adjacent to the existing bridges at Battle Creek and the Milk River east of Lohman to accommodate the additional travel lanes. Numerous irrigation culverts in the proposed project area would also be replaced. However, only seven of the 32 existing bridges and one area where the Milk River is located close to the existing highway (RP 413.0) (Table 2) contain sensitive fish species that may be affected by the bridge replacements (structure type to be determined during final design) or widening of the roadway (no aquatic species surveys have been conducted in Fifteen Mile Creek). Volumes have not been calculated for fill material that may be placed within the ordinary high water mark associated with these crossings. The area of proposed fill placement in wetlands is summarized in Table 3.

Table 2: Major Stream Crossing Locations

Stream Crossing	RP	MTNHP Sensitive Fish Species or MFWP Game Fish Species ¹	Existing Structure to be Replaced
Milk River (two bridges)	397.8 and 427.9	MTNHP - sauger (G5/S2)	Bridge
Milk River fill area	413.0	Game species - walleye	
Little Box Elder Creek	389.1	No MTNHP fish species	Bridge
Clear Creek	395.9	No MTNHP fish species	Bridge
		Game species – walleye	<u> </u>
Red Rock Creek (Coulee)	402.3	MTNHP - pearl dace (G5/S2)	Bridge
(Codico)		Game species - walleye	
Lodge Creek	404.5	MTNHP - northern redbelly/finescale dace (GNA/S3), pearl dace (G5/S2), and sauger (G5/S2)	Bridge
		Game species - walleye	
Battle Creek	410.0	MTNHP - sauger (G5/S2) and pearl dace (G5/S2)	Bridge
		Game species - walleye	
Fifteen Mile Creek	413.8	No surveys have been conducted	Bridge

¹ No Federally listed fish species.

3) <u>Source of Material</u>: According to the geotechnical evaluation, a large volume of aggregates is required for the base course and asphalt concrete production. However, extensive gravel deposits do not appear to be present within the project corridor with the exception of localized deposits from glacial drift in the western half of the project area. More extensive aggregate deposits occur on the foothills south of the project within a reasonable haul distance and should provide a ready source for fill, surfacing, and borrow materials.



Fill material used for widening and construction of approaches to bridges and fills over culverts will likely be embankment material generated on-site or nearby through excavation of cut areas along the roadway. The Milk River Valley floor consists of clay soils that appear to have been used for constructing the existing embankments and are considered suitable for constructing the new embankments that would be associated with construction in the river valley.

No specific borrow source locations have been identified to date. Borrow will not be taken from areas without the proper environmental and archaeological clearances. Borrow sources will likely be chosen which are within close proximity to the project area and therefore will be similar to the on-site soils.

E. DESCRIPTION OF THE PROPOSED DISCHARGE SITES

A Biological Resources Report (BRR) and Addendum was prepared for this study (David Evans and Associates, Inc., 2003 and 2004). The BRR documents the methodology used in delineating the wetlands and documents the location, size, and type of wetlands identified within the project corridor. Wetland area that may be impacted by each proposed alternative is identified in Tables 3, 4, and 5. The impact calculations presented in these tables were determined on the basis of conceptual design (approximately 10 percent design) and are therefore preliminary estimates. Final impacts and further avoidance, minimization, and mitigation will be determined during final design.

- 1) <u>Location of Sites</u>: The project corridor is located within the Upper Missouri Drainage Basin and the Milk River watershed sub-basin identified as USGS hydrologic unit code (HUC) 10050004. The majority of the wetlands within the project corridor are associated with the riparian areas of the Milk River and its tributaries, and ditch features along the highway and within agricultural areas.
- Size of Sites: The wetlands were delineated following the *U.S. Army Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and subsequent U.S. Army Corps of Engineers (COE) guidance. The width of the study area along the corridor extends from the north side of the BNSF Railway right-of-way to approximately 244 m (800 ft) south of the US 2 existing pavement. The study area also extends south on MT Highway 66 located near the eastern terminus of the project to encompass transitions to the intersection with US 2. Because of the extent of wetlands in and adjacent to the highway right-of-way, the entire corridor was walked. Boundaries of the wetland areas were surveyed with Global Positioning System equipment to determine the area.
- 3) Type of Sites: A variety of wetland resources occur along the project corridor. The highway crosses numerous perennial and intermittent creeks, many of which are dominated by riparian communities. Wetlands typically comprise 50 to 90 percent of these areas. Other wetlands occur in ditches and excavated ponds. Primary influences on wetland hydrology include a high groundwater table and the presence of surface water conveyance channels created during the original construction of the highway to collect runoff, or for irrigation purposes. The existing highway and parallel railroad



bed act as an impoundment in some areas so that standing water is present for more than six months of the year in the deeper borrow areas.

- 4) Types of Wetland Habitat: Wetlands were divided into the following categories: jurisdictional wetlands; potential "Talent waters" jurisdictional wetland areas, ditches, and canals; and non-jurisdictional wetland areas, ditches, and canals. The COE makes the final determination on the jurisdiction of wetlands; so prior to final design or any construction, all appropriate regulatory agencies would be contacted to verify the findings of this report and to obtain appropriate approvals and permits. The following guidelines were used in categorizing wetlands as jurisdictional or non-jurisdictional.
 - Wetlands are defined by the COE as areas which possess the three mandatory parameters described in Section 404 of the Clean Water Act (CWA), which are hydrophytic vegetation, hydric soils, and wetland hydrology. (The definition given is that of a wetland. As mentioned below there are some areas that meet the three criteria for a wetland but are not jurisdictional.)
 - Non-jurisdictional wetland areas are defined as wetlands not connected to waters of the U.S. or to other jurisdictional wetlands by surface water or ground water based on the United States Supreme Court ruling of the Solid Waste Agency of Northern Cook County vs. U.S. Army Corps of Engineers (SWANCC Decision), No. 99-1178, January 9, 2001. In addition, prior to the recent court decision, Headwaters, Inc. v. Talent Irrigation District, 243 F.3d 526 (9th Cir. 2001) (Talent Decision), based on COE guidance, the COE did not, except in exceptional cases, consider ditches excavated on dry land as jurisdictional waters of the U.S.
 - Since the Talent Decision, the COE has taken greater jurisdiction over surface water channels, natural or man-made, that drain into a water of the U.S. These waters and wetlands are referred to as "Talent" waters and wetlands. Non-jurisdictional ditches, canals, and their adjacent wetlands are more limited. Based on the recent Talent Decision non-jurisdictional ditches and canals are those unnatural drainages created in uplands that do not discharge to other wetlands or waters of the U.S. through a surface water connection. These ditches are intended for irrigation purposes and water flow is often controlled by head gates or comprised of roadside runoff.

All of the areas that were determined to be wetlands, whether they be jurisdictional or non-jurisdictional, are subject to regulation by the COE during the permit review process.

5) <u>Timing and Duration of Discharge</u>: The timing and duration of construction activities will depend on the alternative chosen and the type of construction (bridge, road widening or new road construction). The project schedule and phasing will be determined during final design. The timing and duration will be established to minimize turbidity and other disturbances in the wetlands and streams. Construction schedules will be specified to minimize disruption during spawning and migration periods for sensitive species.



Table 3: Jurisdictional and Non-Jurisdictional Wetland Impacts

		Estimated Wetland Impacts by Alternative					
	Wetland Area in Project Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	
		Juris	dictional Wetla	ands			
Total Area ¹	32.0 ha (79.5 ac)	0	2.7 ha (5.9 ac)	2.8 ha (6.4 ac)	3.3 ha (7.9 ac)	3.9 ha (9.7 ac)	
Percent of Total Area ²	100%	0%	8.4%	8.8%	10.3%	12.2%	
1	Potential "Talent	Waters" Juris	dictional Wetla	nd Areas, Ditch	es, and Canals	3	
Total Area ¹	10.3 ha (25.3 ac)	0	0.6 ha (1.5 ac)	0.7 ha (1.8 ac)	1.1 ha (2.7 ac)	2.1 ha (5.0 ac)	
Percent of Total Area ²	100%	0%	6.2%	7.2%	10.9%	20.7%	
Non-Jurisdictional Wetland Areas, Ditches, and Canals							
Total Area ¹	26.9 ha (65.7 ac)	0	2.7 ha (7.0 ac)	2.7 ha (7.0 ac)	3.1 ha (7.9 ac)	4.3 ha (10.6 ac)	
Percent of Total Area ²	100%	0%	10.0%	10.0%	11.5%	16.0%	

Note: Impacts less than 0.04 ha (0.1 ac) are not included. Impacts were determined on the basis of conceptual design and may be refined during final design.

Source: David Evans and Associates, Inc., December 19, 2003. *US 2, Havre to Fort Belknap Biological Resources Report*; and David Evans and Associates, Inc., September 2004. *US 2, Havre to Fort Belknap Biological Resources Report Addendum.* Please note that Total Area impacts for jurisdictional wetlands differ from the *Biological Resources Report* due to changes in wetland impacts at Wetland Qx as a result of the Milk River Bridge replacement project. Due to rounding, this difference is apparent in the two-lane alternatives but not in the four-lane alternatives in this table.



¹ The conversion from hectares to acres is not exact due to rounding for wetlands with small impact areas. For further detail on wetland impacts and rounding, please see the Biological Resources Report (DEA, December 2003).

² Percent of total area is calculated for hectares.

³ These wetland areas, ditches, and canals are connected to other jurisdictional wetlands or waters of the U.S.; however, it is currently unknown whether they discharge into jurisdictional wetlands or waters. Final determination will be made during design.

Table 4: Jurisdictional Wetland Impacts and Potential Mitigation

	Wetl	and Description		Amou	nt of Wetland I	mpacted by Alter	native (Approx	imate)		Current Design	Additional Potential Mitigation
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	ga
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
C Little Box Elder Cr.	389.1	Perpendicular, mostly south	1.4 ha (3.4 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.4 ac)	0.2 ha (0.5 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	After bridge construction, approximately 80% of impact area could be restored.
D	389.4	Parallel north and Perpendicular	0.7 ha (1.7 ac)	0	0*	0*	0*	0*	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.
E	390.2	Parallel north and Perpendicular	0.1 ha (0.2 ac)	0	0*	0*	0*	0.04 ha (0.1 ac)	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between railroad crossing and roadway for traffic safety.	Potential practicable mitigation measures will be investigated.
F	392.0	Parallel south	1.9 ha (4.6 ac)	0	0.2 ha (0.5 ac)	0.2 ha (0.6 ac)	0.3 ha (0.7 ac)	0.3 ha (0.7 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.
Н	392.2	Parallel south and Perpendicular	1.0 ha (2.6 ac)	0	0.2 ha (0.4 ac)	0.2 ha (0.5 ac)	0.2 ha (0.5 ac)	0.2 ha (0.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.
L Clear Creek	395.9	Perpendicular, mostly south	1.2 ha (3.1 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	0.2 ha (0.4 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	area could be restored.
N	396.5	Parallel south	3.1 ha (7.6 ac)	0	0.2 ha (0.4 ac)	0.3 ha (0.7 ac)	0.3 ha (0.7 ac)	0.4 ha (0.9 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 3. Steepening side slope and adding guardrail, and 4. Using retaining walls.

Table 4: Jurisdictional Wetland Impacts and Potential Mitigation (continued)

	Wetla	and Description		Amou	nt of Wetland I	mpacted by Alter	native (Approx	imate)		Current Design	Additional Potential Mitigation
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	J
				Hectares	Hectares	Hectares	Hectares	Hectares			
Ox Milk River	397.8	Perpendicular, mostly south	0.3 ha (0.8 ac)	(Acres)	(Acres) 0.04 ha (0.1 ac)	(Acres) 0.04 ha (0.1 ac)	(Acres) 0.1 ha (0.2 ac)	(Acres) 0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	After bridge construction for the four-lane alternatives, approximately 80% of impact area could be restored.
P	398.2	Parallel south	2.1 ha (5.2 ac)	0	0*	0*	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing. This railroad separation further reduced to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls, and 3. Constructing a bridge.
Q		Parallel south	2.8 ha (6.9 ac)	0	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	0.5 ha (1.3 ac)	0.6 ha (1.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing. This railroad separation further reduced to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.
R Red Rock Creek (Coulee)	402.3	Perpendicular, mostly south	0.7 ha (1.8 ac)	0	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Minimized impacts	Alignment shifted south and project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	After bridge construction, approximately 80% of impact area could be restored.
S	402.6	Parallel south and Perpendicular	0.1 ha (0.2 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.

Table 4: Jurisdictional Wetland Impacts and Potential Mitigation (continued)

	Wetla	and Description		Amou	nt of Wetland I	mpacted by Alter	native (Approx	imate)		Current Design	Additional Potential Mitigation
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
V Unnamed Creek	404.0	Parallel north and Perpendicular	0.8 ha (2.0 ac)	0	0.2 ha (0.5 ac)	0.2 ha (0.5 ac)	0.2 ha (0.5 ac)	0.1 ha (0.3 ac)	Minimized impacts	Alignment shifted south and project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	After bridge construction, approximately 80% of impact area could be restored.
Px Lodge Creek	404.5	Perpendicular, north and south	2.5 ha (6.2 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	After bridge construction, approximately 80% of impact area could be restored.
W	406.0	Parallel south and Perpendicular	1.3 ha (3.3 ac)	0	0.3 ha (0.8 ac)	0.3 ha (0.8 ac)	0.3 ha (0.8 ac)	0.4 ha (1.0 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	No practicable mitigation measures identified.
X Battle Creek	410.0	Perpendicular, mostly south	2.0 ha (5.0 ac)	0	0.2 ha (0.4 ac)	0.2 ha (0.4 ac)	0.2 ha (0.5 ac)	0.3 ha (0.7 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands. The two-lane alternatives would reuse the existing bridge; the four-lane alternatives would require an additional bridge.	approximately 80% of impact area could be restored.
Υ	412.2	Parallel south	0.9 ha (2.3 ac)	0	0*	0*	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.
Z	412.3	Parallel south	0.8 ha (1.9 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	Potential practicable mitigation
Ax Milk River	413.0	Parallel south	1.3 ha (3.3 ac)	0	0*	0*	0.1 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing. This railroad separation further reduced to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include

Table 4: Jurisdictional Wetland Impacts and Potential Mitigation (continued)

	Wetla	and Description		Amou	nt of Wetland I	mpacted by Alter	native (Approxi	imate)		Current Design	Additional Potential Mitigation
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
Bx	413.3	Parallel south	1.3 ha (3.3 ac)	0	0.2 ha (0.4 ac)	0.2 ha (0.4 ac)	0.2 ha (0.4 ac)	0.2 ha (0.5 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing. This railroad separation further reduced to minimize impacts to wetlands.	Potential practicable mitigation measures to investigate include 1. Steepening side slope and adding guardrail, and 2. Using retaining walls.
Rx Fifteen Mile Creek	413.8	Perpendicular, mostly south	0.9 ha (2.3 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and railroad crossing to minimize impacts to wetlands.	After bridge construction, approximately 80% of impact area could be restored.
Tx Milk River (South side of Milk River is located on Fort Belknap Indian Res.)	427.9	Perpendicular, east and west	0.7 ha (1.8 ac)	0	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project is maintained along existing alignment to minimize impacts ¹ .	After bridge construction, only approximately 40% of impact area could be restored, because the bike/ped bridge crosses over the Milk River to the west of US 2 and then the path crosses under the US 2 bridge on the north side of the Milk River which is part of the wetland.

^{*} Wetland impacts less than 0.04 ha (0.1 acre).

Note: Shifting the alignment north to avoid or minimize impacts to southern wetlands was not possible because the BNSF railroad is parallel to US 2 on the north side of the roadway. Impacts were determined on the basis of conceptual design and may be refined during final design.

Source: David Evans and Associates, Inc., December 19, 2003. US 2, Havre to Fort Belknap – Biological Resources Report. Please note that the impacts for Wetland Ox differ from the Biological Resources Report due to changes in impacts resulting from the Milk River Bridge replacement project.

¹ Tx Wetland (Milk River) impacts include a bike/ped bridge in addition to the roadway bridge.

Table 5: Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches, and Canals¹ Impacts and Potential Mitigation

		nd Description			quantities bas	etland Impacted ed on conceptua greatest impact)	l level of design			Current Design	Additional Potential Mitigation ²
Wetland	RP #	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
G	392.2	Parallel north	0.1 ha (0.2 ac)	0	0	0	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Avoided or minimized impacts, except for Four-Lane Divided Alternative	Alignment shifted south to avoid or minimize wetland impacts and used minimum safe distance between highway and RR crossing to avoid wetland or minimize impacts for all alternatives except the Four-Lane Divided Alternative. Wetland impacts for the Four-Lane Divided Alternative could not be avoided or minimized. Minimized impacts to jurisdictional wetland F.	To be determined during final design.
J	395.0	Parallel south	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
K	395.0	Parallel north	0.2 ha (0.5 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety, and increase distance from RR crossing for traffic safety.	To be determined during final design.
0	397.0	Parallel north	0.1 ha (0.3 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.
Т	402.6	Parallel south	0.2 ha (0.5 ac)	0	0	0	0	0.2 ha (0.4 ac)	Avoided or minimized impacts	Project uses minimum safe distance between highway and RR crossing to avoid wetlands or minimize impacts to wetlands.	To be determined during final design.
Kx	418.7	Parallel south	1.4 ha (3.4 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
Lx	418.8	Parallel south	1.7 ha (4.1 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.

Table 5: Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches, and Canals¹ Impacts and Potential Mitigation (continued)

		and Description			quantities bas	etland Impacted I ed on conceptua greatest impact)	l level of desigr			Current Design	Additional Potential Mitigation ²
Wetland	RP #	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
Mx	420.4	Parallel south	0.5 ha (1.3 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands. This RR separation further reduced to minimize impacts to wetlands.	To be determined during final design.
NJVVV	398.3	Parallel north	0.1 ha (0.2 ac)	0	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety. Minimized impacts to jurisdictional wetland Q.	To be determined during final design.
NJB	400.6	Parallel south	0.3 ha (0.6 ac)	0	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJC	400.6	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJA	400.6	Perpendicular north and south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJD	400.6	Parallel north	0.1 ha (0.3 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.
NJF	400.6	Parallel south	0.1 ha (0.2 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Cannot be avoided or minimized		To be determined during final design.
NJG	400.6	Parallel north	0.1 ha (0.1 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.
NJBB	401.8	Perpendicular north	0.4 ha (0.9 ac)	0	0*	0*	0*	0*	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.

Table 5: Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches, and Canals¹ Impacts and Potential Mitigation (continued)

		and Description			quantities bas	etland Impacted ed on conceptua greatest impact)	l level of desigr			Current Design	Additional Potential Mitigation ²
Wetland	RP #	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
NJM	402.9	Parallel south	0.04 ha (0.1 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	Cannot be avoided or minimized		To be determined during final design.
NJN	403.8	Parallel north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.
NJP	404.2	Parallel and Perpendicular south	0.04 ha (0.1 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJPP	404.2	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJO	404.3	Parallel south and Perpendicular north and south	0.1 ha (0.3 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.2 ac)	Minimized impacts for Four-Lane Divided only	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands. Improved Two-Lane, Improved Two- Lane with Passing Lanes and Four- Lane Undivided could not be avoided or minimized.	To be determined during final design.
NJQQ	404.3	Perpendicular south	0*	0	0	0	0	0	Avoided	Alignment located to the north of wetland.	To be determined during final design.
NJFFF	404.5	Perpendicular north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.
NJV	405.7	Parallel south	0*	0	0*	0*	0*	0*	Cannot be avoided or minimized		To be determined during final design.
NJW	405.8	Perpendicular south	0.04 ha (0.1 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.

Table 5: Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches, and Canals¹ Impacts and Potential Mitigation (continued)

		nd Description		(Estimated	quantities bas	etland Impacted I ed on conceptua greatest impact)	l level of desigr	n; assumes		Current Design	Additional Potential Mitigation ²
Wetland	RP #	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
NJWW	405.8	Perpendicular north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.	To be determined during final design.
NJAA	407.1	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJCC	408.0	Parallel south	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
NJEE	408.5	Perpendicular north and south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJKKK	413.2	Parallel south	0*	0	0*	0*	0*	0*	Cannot be avoided or minimized		To be determined during final design.
NJNN	413.5	Parallel north	0*	0	0*	0*	0*	0*	Minimized impacts	Alignment shifted south to minimize impacts and to maintain desirable distance between RR crossing and roadway for traffic safety. This RR separation further reduced to minimize impacts to wetlands.	To be determined during final design.
NJHH	414.5	Parallel south and perpendicular north and south	0.1 ha (0.4 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJTT	420.7	Parallel south	0.9 ha (2.1 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
NJUU	420.7	Parallel south	2.9 ha (7.2 ac)	0	0	0.1 ha (0.2 ac)	0.4 ha (0.9 ac)	1.1 ha (2.7 ac)	Avoided or minimized impacts	Project uses minimum safe distance between highway and RR crossing to avoid wetlands or minimize impacts.	To be determined during final design.

Table 5: Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches, and Canals¹ Impacts and Potential Mitigation (continued)

	Wetla	nd Description		(Estimated	quantities bas	etland Impacted bed on conceptual greatest impact)	level of design	n; assumes		Current Design	Additional Potential Mitigation ²
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments	
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)			
NJZZ	420.9	Parallel south	0.1 ha (0.4 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.
NJVV	421.4	Parallel south	0.1 ha (0.4 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
NJIII	421.5	Parallel south	0.4 ha (1.0 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
NJXX	422.3	Perpendicular north and south	0*	0	0	0	0	0	Avoided	Alignment located north of wetland.	To be determined during final design.
NJYY	422.4	Parallel south	0.1 ha (0.2 ac)	0	0*	0*	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.	To be determined during final design.

^{*}Impact less than 0.04 ha (0.1 ac).

¹ These wetland areas, ditches, and canals are connected to other jurisdictional wetlands or waters of the U.S.; however, it is currently unknown whether they discharge into jurisdictional wetlands or waters. Final determination will be made during design.

² Potential mitigation measures to investigate for all impacted wetlands include steepening side slopes, adding guardrails, or using retaining walls. Specific mitigation measures will be determined during design. Note: Impacts were determined on the basis of conceptual design and may change during final design.

Source: David Evans and Associates, Inc., December 19, 2003. US 2, Havre to Fort Belknap – Biological Resources Report; and David Evans and Associates, Inc., September 2004. US 2, Havre to Fort Belknap – Biological Resources Report Addendum.

F. DESCRIPTION OF DISPOSAL METHOD

The type of disposal methods will depend on the type of construction that may be conducted in a specific location. The following sections provide a description of construction methods that would be used for a "build" alternative selected to widen the existing highway, or build a new highway in the vicinity of surface waters and wetlands.

Roadway Widening: When widening the highway, it will be necessary to place fill material in wetlands located along the highway. The fill material would be placed in the wetlands by large earth-moving equipment such as excavators and bulldozers. The fill material would likely be acquired from nearby source pits or excess material from other areas within the project corridor. The fill would be required to construct the necessary side slopes and adjust the elevation of the roadway.

New Roadway Construction: The construction method for new roadway construction would be similar to the methods used when widening the highway. Where necessary, the area where fill is to be placed would first be cleared of vegetation and topsoil then fill material would be placed and compacted in relatively thin lifts. Disturbance of the area would be more pronounced than for road widening due to the larger areas that would be affected for any given road segment.



SECTION III. FACTUAL DETERMINATIONS (Section 230.11)

Individual and cumulative effects of the discharges for both the short and long-term were evaluated in making determinations where applicable.

A. PHYSICAL SUBSTRATE DETERMINATIONS

- 1) Substrate Elevation and Slope: The elevation and slope of the streambeds would not be adversely impacted by the US 2 build alternatives. The existing channel characteristics will be preserved in most cases. The placement of fill materials along the banks of the streams paralleling the highway may require some minor localized changes to the elevation and slope of the stream channel. Overall stream flow gradients and regimes in these limited areas would not change or create velocity changes sufficient to cause abnormal deposition or scour problems.
- 2) Compare Fill Material and Substrate at Discharge Site: At the stream crossings, the substrate is expected to consist of smooth cobbles with clean gravels and fine sediments along the embankments and in the streambed. The fill used would be select granular backfill with very similar characteristics to those present at the discharge site.
 - Substrate in wetland areas would consist of fine sediments supplied by feeder streams and precipitation runoff. The fill material placed in the wetlands or stream crossings would either be granular material from nearby sources or excess material from the project itself. Therefore, the two materials are expected to have similar constituents and be compatible to the native soils.
- 3) <u>Dredged/Fill Material</u>: The fill materials used in the stream crossing would consist of granular materials that are not susceptible to movement by water action. Material movement will not be a problem because water velocity is negligible in the wetland areas.
- 4) Physical Effects on Benthos Invertebrates/Vertebrates:
 - a) Physical Effects on Benthos: Benthic organisms (bottom-dwelling plants and animals) would be impacted along streambanks or in wetland areas where the fill materials would be placed, and downstream from fill placement as a result of turbidity and sedimentation. The benthic organisms could relocate and reestablish themselves in the fill material over time, if the fill is sufficiently similar to the existing material. Therefore, the physical effects on benthos should be short-term and relatively localized to impacts at the site of the fill and immediately downstream.
 - b) <u>Invertebrates</u>: The impacts to aquatic invertebrates will also primarily be short-term. Fill material placed along the stream bank or in wetlands would bury organisms that are present at those locations, but new organisms would be expected to quickly re-establish themselves in these areas if fill is sufficiently



similar to the existing material. In addition, construction activities could cause localized increases in suspended sediment on a temporary basis, which would adversely affect aquatic insects that rely upon sight to find food. Increased sediment levels may also clog interstitial spaces in the streambed that invertebrates use for habitat, but the habitat will quickly regenerate when turbidity is abated and "flushing" occurs.

c) <u>Vertebrates</u>: Sediment from the erosion areas of disturbed soil is the primary source of adverse impacts to aquatic vertebrates. Aquatic vertebrates primarily include fish in the project area. Sediment in streams affects fish by increasing silt in spawning gravel and rearing habitat. This suffocates the eggs or fry of fish species, affects the aquatic organisms that fish rely on for food, and is abrasive to fish gills. The use of Best Management Practices (BMPs) for erosion and sedimentation control should prevent these adverse impacts or reduce them to short-term and tolerable levels.

Whenever possible, recommended construction would be timed so that it does not coincide with spawning runs when migration movements could be disrupted or blocked.

Toxic materials can also cause problems for fish. Toxins can be introduced to the streams by runoff or through accidental spills or contact with hazardous materials, or through the presence of toxins in fill material. Again, BMPs during construction would minimize these problems.

- 5) Erosion and Accretion Patterns: None of the alternatives would alter erosion or accretion processes that are naturally associated with the streams in the project area. The existing flow pattern of the rivers and streams have not caused undesirable erosion and accretion patterns in the project corridor. No excessive floodplain narrowing by approach fills appear to be present as a result of the original construction of bridges along the corridor. Therefore, scour and erosion is not a problem at any of the bridge locations. One possible exception may be at Clear Creek where there is erosion on the east side of the creek, just north of the railroad bridge. When realigning the highway, design measures will ensure that crossing widths are maintained so that channel constriction and subsequent erosion problems do not occur.
- 6) <u>Actions Taken to Minimize Impacts</u>: The following measures can be incorporated into the proposed action to minimize the impacts to streams and wetlands:
 - a) Where practicable, the alignment was shifted away from wetland areas to avoid or minimize impacts. Impacts to wetlands could not be completely avoided in order to meet a desirable minimum safe distance of 46 m (150 ft) from railroads at intersecting roadways. However, wetland impacts are considered minimized because the project used the minimum safe distance between highway and the adjacent railroad, and the minimum safe width for each typical section alternative.
 - b) Steepen sideslopes or construct retaining wall with guardrail where practicable.



- c) Increase bridge span lengths, where practicable.
- d) Place the fill in the smallest area possible.
- e) Use fill materials that are similar to the substrate whenever possible.
- f) Schedule the timing and duration of the construction activities to coincide with the lowest flows possible.
- g) Restore areas temporarily impacted from construction.
- h) Incorporate a Stormwater Pollution Prevention Plan (SWPPP) and BMPs into construction projects. The contractor will be required to follow the SWPPP and recommended BMPs. The selection of the BMPs would be done during the final design activities and at the discretion of the highway designer.

B. WATER CIRCULATION, FLUCTUATION AND SALINITY DETERMINATIONS

- 1) <u>Water</u>: The following sections discuss the proposed action's impact on various components of water quality in the project area.
 - a) <u>Salinity</u>: No site-specific tests for salinity have been performed. Increases in salinity can result from the introduction of an impoundment or by altering the existing hydrologic regime of wetlands. Other causes of increased salinity can be the use of fill materials significantly different from native soils. While the proposed project would decrease wetland area, hydrologic regimes will not be affected and no new impoundments would be created. In addition, fill materials used for the project would resemble native soils.
 - b) <u>Water Chemistry</u>: No site-specific tests for water chemistry have been performed. However, there is no reason to suspect that the proposed action would significantly alter the alkalinity, hardness, pH level, or mineral concentration in the surface waters.
 - c) <u>Suspended Sediments</u>: Construction activities would cause temporary, localized, minor increases in suspended sediments during construction activities especially near streams where fines in the new fill material are transported from the disposal sites by water currents. Stable, granular fill material would be used to minimize these impacts.
 - d) <u>Clarity</u>: There may be temporary, localized increases in turbidity during the placement of fill materials along stream embankments. These increases in turbidity would be minor, compared to the naturally occurring processes during spring run-off conditions or after heavy rainstorms.
 - e) <u>Color</u>: The placement of fill material in wetlands and streams could disrupt the substrate and increase the suspended sediments and turbidity in the water. This



may cause temporary, local changes in the color of water near construction activities, especially immediately following the fill placement. This change in color would be similar to the change in color that results from natural processes during the spring runoff when high concentration of sediments from surrounding drainages give the river a milky color. This impact would be insignificant and short-term.

- f) Odor: The project would not significantly influence the odors in the streams and wetlands.
- g) <u>Taste</u>: The project would not significantly alter the taste of the surface water or the groundwater in the project area precluding any unforeseen spills or abnormal conditions.
- h) <u>Dissolved Gas Levels</u>: Because improvements are not expected to significantly increase the turbulence of flows, cause stagnation in the streams and wetlands, or cause other changes to hydrologic regimes, it is unlikely that the existing dissolved gas levels will be altered in any way.
- Nutrients: Nutrient loads such as phosphorus arid nitrogen predominantly come from non-point agricultural sources, point discharges such as wastewater treatment plants, and other naturally occurring high organic loads such as decaying algae. Impacts to these conditions are not expected to occur from the proposed action. Since wetland hydrology and surface waters within the project corridor will be maintained, no impact from nutrient loading should result.
 - Nitrate residual could occur on rock blasted for removal during construction. If such material is placed in watercourses, it could provide a temporary low level source of nitrogen. Presently there are no known areas along the project corridor where blasting of rock will be necessary. If shotrock is used for rip-rap, nitrate residuals would be quickly flushed and diluted to insignificant levels.
- j) <u>Eutrophication</u>: The proposed action is not expected to contribute significant quantities of sediments or nutrients to the Milk River drainage. The waters to be impacted by the project are primarily streams and wetlands, not lakes. Streams are generally well-mixed and plant growth induced by excessive nutrients is generally not a problem. Wetlands are, by their nature, already subject to eutrophication. Since there will be no significant increase in nutrients and the hydraulic regimes will be preserved, there should be no impacts from increased eutrophication.

2) Current Patterns and Circulation:

a) <u>Current Patterns, Drainage Patterns, Normal and Low Flows</u>: All of the existing cross-highway drainage will be maintained. In areas where new fills are to be placed, a foundation blanket of granular material could be constructed for the fills that would allow passage of surface water through areas not already served by culverts and bridges. Seasonal variations in stream flow and groundwater movement naturally affect flow volumes and hydraulic patterns. However, none



- of the proposed improvements are expected to change or alter these patterns and the total flow of water in the Milk River drainage should not be modified.
- b) <u>Velocity</u>: The intent of the new bridge designs will be to maintain the existing velocities in the streams. The culverts will be designed to keep velocities low enough to minimize erosion at the outfalls.
- c) <u>Stratification</u>: Proposed improvements are not expected to alter the existing stratification of waters in any of the streams or wetlands.
- d) <u>Hydrologic Regime</u>: Improvements would not be expected to affect the existing hydrologic regime of the Milk River or its tributaries.
- e) <u>Aquifer Recharge</u>: The quality or extent of aquifer recharge would not be adversely affected by the proposed action.
- 3) Normal Water Level Fluctuations: Wherever possible, the bridges and culverts would be designed to accommodate 50-year and 100-year flows without significantly altering the stream elevation or causing backwater problems.
- 4) <u>Salinity Gradients</u>: Because there are no known locations of salinity within the project area, salinity gradients will not be altered.
- 5) <u>Impact Minimization Measures</u>: The following measures will be taken to minimize impacts:
 - a) Bridges and culverts will be sized to maintain the existing stream water levels and velocities as much as possible.
 - b) Culverts and hydraulic structures will be designed to maintain the existing crosshighway drainage and to allow for fish passage. Additional culverts may be installed to preserve or restore flow between connected or bisected wetlands.
 - c) The fill material will be placed to maintain the existing hydraulic properties of the streams and wetlands whenever possible.
 - d) Granular material will be used as a foundation for new embankments to maintain flow through them.

C. SUSPENDED PARTICULATE/TURBIDITY DETERMINATIONS

1) Expected Changes in Suspended Particulates and Turbidity Levels in the Vicinity of the Disposal Site: Fill placement at stream channel crossings may introduce some fine materials to the surface waters, which would cause temporary increases in the level of suspended particulates during construction. The placement of fill may also cause unnatural turbulence, which could suspend bottom sediments. This may result in temporary increases of turbidity levels near stream or wetland encroachments.



Stormwater runoff from recently graded areas near streams and wetlands can also transport sediments to the surface waters. This would result in an increase in suspended particulates and turbidity levels. However, a SWPPP would be implemented to minimize erosion.

2) Effects on Chemical and Physical Properties of the Water Column:

- a) <u>Light Penetration</u>: Increased levels of suspended particulates and turbidity in the surface waters near the construction site can decrease the amount of light penetration. These impacts would be short-term and would occur only temporarily during the construction activities.
- b) <u>Dissolved Oxygen</u>: The suspended particulates introduced to the surface waters by the placement of soil will be primarily inorganic. Therefore, no increases in biochemical oxygen demand (BOD) should occur. In addition, the proposed action should not cause increased turbulence or stagnation of the surface waters that would affect the dissolved oxygen levels.
- c) <u>Toxic Metals and Organics</u>: The fill material used for construction would be obtained locally and have similar characteristics to the soils at existing stream crossings. Water quality data for surface-waters in the Milk River Valley indicates that toxic metals and organics are not excessive or problematic. No fill material would be taken from hazardous material sites identified in the Hazardous Materials section of the EIS or other known hazardous materials sites in the region.
- d) <u>Pathogens</u>: No known major sources of viruses or pathogenetic organisms occur in the project area, although livestock and wildlife waste is evident in several places throughout the corridor. The use of clean, inorganic fill material would ensure that construction activities would not introduce pathogens.
- e) <u>Aesthetics</u>: The project would affect the aesthetics of surface water similar to the spring runoff conditions, but at a much smaller scale. The effects would be temporary, localized, and occur near or just downstream of the actual construction activities. Impacts are limited to the increased suspended particulate levels of the surface waters near locations of fill placement, which would rapidly disperse as distance from the source increases.

3) Effects on Biota:

- a) <u>Primary Production, Photosynthesis</u>: The project should not substantially reduce photosynthesis and primary productivity in surface waters. Changes in suspended particulates and turbidity levels would be localized and temporary. Therefore, these conditions should not be significant enough to effect the level of photosynthesis in the surface waters.
- b) <u>Suspension/Filter Feeders</u>: Collectors and filter feeders include net spinning caddis larvae and burrowing mayfly nymphs, which capture and use organic particles suspended in the water current. Due to the increased levels of suspended



particulates and turbidity near construction activities, these organisms would be temporarily impacted. Excessive sediment can bury these organisms, abrade their gills, and damage their habitat. However, the impacts would be very localized and short-term. The organisms would be expected to naturally repopulate the disturbed area quickly after the construction activities have been completed.

- c) <u>Sight Feeders</u>: Sight feeders, such as stonefly nymphs, rely on clear water to find their food. Therefore, localized increases in suspended particulates and turbidity caused by the placement of fill materials would cause short-term impacts to sight feeders. Similar to filter feeders, excessive sediment can bury these organisms, abrade their gills, and damage their habitat. Suspended particulates and turbidity should rapidly diminish after the placement of fill materials, thereby allowing quick recovery for sight feeders.
- 4) Actions Taken to Minimize Impacts: Establishing and implementing an effective SWPPP is the primary approach to minimizing impacts that could result from suspended particulates and turbidity in the surface waters. For this purpose, the SWPPP will be implemented during preparation and construction of the proposed project and will be used to acquire a Montana Pollutant Discharge Elimination System (MPDES) permit.

The SWPPP will be designed to prevent or reduce erosion and release of sediment from construction areas. Temporary, site-specific erosion control structures or practices will be selected based on BMPs for highway construction projects. BMPs may include slope roughening, temporary seeding, mulching, erosion control blankets, straw bales, gravel filter berms, ditches, silt fences, and settling basins. Goals of the SWPPP include the following:

- Avoid or minimize the extent of exposed soils,
- Stabilize and protect disturbed areas as soon as possible in order to keep runoff velocities low,
- Prevent surface water runoff from reaching disturbed areas,
- Retain sediment within the corridor, and
- Implement a thorough maintenance and follow-up program.

D. CONTAMINANT DETERMINATIONS

- 1) Evaluation of the Biological Availability of Pollutants in Dredge or Fill Material:
 - a) <u>Physical Characteristics</u>: The physical characteristics of fill or dredge materials would be obtained from local sources and have particle sizes and constituents similar to those occurring in the project area. Fill material would be clean and free of hazardous and toxic pollutants, pathogens, and organics.



- b) Hydrography in Relation to Known or Anticipated Sources of Contamination: The project corridor crosses many small streams, drainages, and the Milk River. Contaminants from highway runoff or accidental hazardous material spills could potentially be introduced to surface waters. During construction, stormwater runoff would be controlled by an erosion control plan. By widening the highway and improving the crossings, the potential for accidents at these crossings would be reduced.
- c) Results from Previous Testing of Material or Similar Material in the Vicinity of Project: A detailed hazardous materials assessment performed for the project revealed that the right-of-way and immediate area do not include national Superfund sites, licensed landfill, mine reclamation sites, recorded hazardous spill sites or point source discharge locations. Areas with some potential to have soil and groundwater contamination or solid waste associated with land use activities were identified. Recommendations were to conduct further analyses and/or special removal or handling should excavation be required at these locations. Although areas of concern were identified throughout the project corridor, no documented evidence of significant existing contamination was observed. The assessment included a physical site investigation and review of public and agency records and maps. All sources of fill material used throughout the project will avoid areas of potential contamination and will have the required environmental clearances.
- d) Known Significant Sources of Persistent Pesticides from Land Runoff or Percolation: Although there is a fair amount of agricultural activity in the project corridor, no known significant point or non-point sources of pesticides are present.
- e) Spill Records for Petroleum Products or Designated Hazardous Substances: There is potential soil and groundwater contamination associated with leaking underground storage tanks, underground storage tanks and above ground storage tanks. Should excavation be required at these locations, soil testing and/or tank removal will occur to ensure that no impact to surface waters or wetlands occur.
 - The abandoned Diamond Asphalt refinery site east of Chinook is listed as a medium-priority site according to the Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA). The site contains extensive tarcontaminated soil and tar/sludge pits that have been documented as seeping into groundwater.
- f) Other Public Records of Significant Introduction of Contaminants from Industries, Municipalities, or Other Sources: To complete the hazardous material assessment, public records were closely examined in order to find any evidence of contaminants from these sources. The abandoned Diamond Asphalt refinery site contains tar/sludge pits and tar-contaminated soil within the proposed right-of-way for build alternatives. No additional documented evidence of significant contamination within the right-of-way was observed in the public records.



- g) Known Existence of Substantial Material Deposit of Substances that could be Released in Harmful Quantities to the Aquatic Environment by Man-Induced Discharged Activities: As shown by the hazardous materials survey, substantial material deposits of substances, that could be released in harmful quantities to surface waters by construction activities, are not known to exist in the project area.
- h) Other Sources of Contaminants: Other sources of pollutants that may be present in dredged or fill materials include road salts, de-icing chemicals, and dust suppressants. FHWA research has concluded that these sources have minimal impacts to receiving surface waters providing standard, acceptable construction practices are followed. Vegetation and soils play an active role in filtering, diluting, and neutralizing the pollutant levels from these sources.
- 2) Contaminant Determination: The material provided in the hazardous material evaluation was examined and it was concluded that there is no reason to expect that any proposed fill material would be a carrier of contaminants. Fill material will not be taken from areas identified as having any potential for soil or groundwater contamination. The fill material will be obtained from sources that obtain the required environmental clearances to assure that no fill material with pollutants is used on the project.

E. AQUATIC ECOSYSTEM AND ORGANISM DETERMINATIONS

- 1) <u>Effects on Plankton</u>: Plankton will be primarily affected by changes in suspended sediments, turbidity, and pollutant levels resulting from the construction activities. As previously discussed, these effects will only be short-term and localized.
- 2) <u>Effects on Benthos</u>: The project effects on benthos were discussed in Section III.A.4. of this evaluation.
- 3) <u>Effects on Nekton</u>: Nektons (aquatic organisms such as fish that are able to move independently of water current) were discussed previously in Section III.A as part of the evaluation on the physical effects on benthos invertebrates/vertebrates.
- 4) <u>Effect on Aquatic Food Web</u>: Because the proposed improvements will not significantly impact aquatic organisms, the overall, long-term cumulative effect on the aquatic food web is expected to be insignificant.
- 5) Effects on Special Aquatic Sites:
 - a) <u>Sanctuaries and Refuges</u>: State, federal, or local agencies have not designated any wildlife or waterfowl sanctuaries or refuges within the project area. Therefore, none would be impacted by the project.
 - b) Wetlands: A total of 28 jurisdictional wetland areas were delineated in the project corridor. Twenty-two of these wetlands have the potential to be impacted as a result of the proposed project. The majority of the wetlands are either associated



with the riparian area of the Milk River or the riparian areas of creeks that are tributaries to the Milk River. The existing highway and railroad currently bisect many of these wetlands. The Four-Lane Divided Alternative would incur the greatest amount of impacts to jurisdictional wetlands at 3.9 ha (9.7 ac). The preferred alternative, Improved Two-Lane with Passing Lanes, would impact 2.8 ha (6.4 ac) of jurisdictional wetlands.

A total of 39 potential "Talent waters" jurisdictional wetland areas, ditches, and canals were identified in the project corridor. Depending on the alternative, 20 – 23 of these wetlands have the potential to be impacted as a result of the proposed project. These wetlands are connected to other jurisdictional wetlands or waters of the U.S., but it is currently unknown whether they discharge into jurisdictional wetlands or waters. Jurisdiction of these wetlands will be determined with the COE during design.

Construction of improvements to US 2 would require the placement of fill in wetlands, thereby decreasing their area. However, project design elements will avoid the introduction of wetland impoundment or other changes to wetland hydrology. Impacts to wetlands will be offset through compensatory mitigation as discussed in Section III.E.9.

- c) <u>Mud Flats</u>: There are no mud flats in the project area, and the project would not create any new mud flats. Therefore, the project will not affect mud flats.
- d) <u>Vegetated Shallows</u>: These include areas that are permanently inundated and support rooted aquatic vegetation such as cattails (*Typha* spp.) and sedges (*Carex* spp.). Approximately 12.7 ha (31.4 ac) of wetlands in the project corridor were identified as vegetated shallows. Of this area, approximately 1.7 ha (4.3 ac) would be impacted by the action alternative with the greatest amount of impacts. Approximately 1.1 ha (2.8 ac) would be impacted by the preferred alternative, Improved Two-Lane with Passing Lanes.
- e) Riffle and Pool Complexes: Most of the crossings associated with the highway are in reaches of streams where the gradient is beginning to flatten out as it approaches the Valley floor and the main stem of the Milk River. Some streams may have sufficient gradient, meanders, cobbles and boulders to create riffle and pool complexes. However, bridges and other hydraulic structures will be engineered to maintain existing hydraulic characteristics so that adverse impacts on these complexes are not anticipated.
- 6) Effects on Threatened and Endangered Species and their Habitat: Correspondence from USFWS (2002) indicates that the following species have the potential to occur in the project area: bald eagle (threatened), black-footed ferret (endangered), and black-tailed prairie dog (candidate). The mountain plover was proposed to be listed as a USFWS threatened species and is included on the USFWS (2002) correspondence letter. However, through a process of final review and comment, the USFWS withdrew the proposal to list mountain plover based on more current information of



the species (Jackson, 2003 personal communication and USFWS, 2003). Therefore, the species is not discussed further in this report. No fish species occur in the project area that are listed as threatened, endangered or candidate species under the Endangered Species Act (ESA).

A detailed Biological Assessment of the project's impact on threatened and endangered species was included in the BRR and was reviewed by the USFWS. This assessment indicates that the project may affect, but is not likely to adversely affect bald eagles or their critical habitat. The assessment further concludes that the proposed project would have no effect on black-footed ferrets or black-tailed prairie dogs. In a letter dated April 6, 2004, the USFWS concurred with these effect determinations.

7) Effects on Other Species of Special Interest or Concern and their Habitat: Montana State terrestrial species of special concern in the project area include the swift fox, northern leopard frog and sage grouse.

No swift fox or dens were observed during the site visits. The habitat range of the nearest documented swift fox does not extend into the project area. Furthermore, the proposed project area and corridor consists of primarily farmland with small, fragmented pockets of native rangeland that is unlikely to be occupied by swift fox. Therefore, the proposed project would have no effect on swift fox.

No leopard frogs have been documented in the project area and none were found during field visits. Potential habitat for the species may exist in the project area in or near water in non-forest habitats and in wet sedge-meadows or cattail marshes and in excavated stock ponds. Portions of these wetlands would be impacted during construction, as discussed in II.E of this report. Therefore, the proposed project may affect northern leopard frog individuals (should they be present) or their habitat, but is not likely to contribute to a trend toward Federal listing or loss of viability of the species.

The project area does not contain the significant amounts of sagebrush habitat necessary to maintain a sage grouse population. No sage grouse were observed during the field visit and it is unlikely that the species would be found in the project area (Hagener, 2003 personal communication). Therefore, the proposed project would have no effect on sage grouse.

8) Actions Taken to Avoid and Minimize Impacts: According to the CWA, Section 404 Guidelines, and the State of Montana's Interagency Memorandum of Understanding (1992), permit issuance will only be allowed for the least environmentally damaging, practicable alternatives. No discharge of materials into wetlands or waters of the United States can be permitted if there is a practical alternative to the proposed discharge, which would have less adverse effects to the aquatic ecosystem and as long as the alternative did not have other significant adverse environmental consequences. The preferred alternative is the Improved Two-Lane with Passing Lanes Alternative.



The conceptual design of all alternatives avoided or minimized impacts wherever possible by shifting the alignment, altering grades, and using the minimum safe offset between the highway and railroad crossings and the minimum safe right-of-way width for each alternative.

Additional efforts to minimize impacts to wetlands are as follows:

- a) Whenever practicable, steeper sideslopes and smaller fill volumes will be used for construction in wetlands and at stream crossings.
- b) Fill material will be used that is similar to the existing substrate in particle size and constituents. Only fill material from sources with the appropriate environmental clearances will be used.
- c) A SWPPP will be used and BMPs will be identified for control of erosion and sediment transport both in areas impacted and in nearby areas avoided.
- d) All disturbed areas will be restored to an acceptable condition. This will include mulching, reseeding, and the use of other erosion control or BMPs.
- e) Lengthening of bridges, steepening sideslopes with guardrails, or building retaining walls may be considered in riparian crossing areas to minimize fill in these areas.
- f) Any water pumped from inside cofferdams will be routed to a settling pond before it is reintroduced to the surface waters.
- g) Any unavoidable construction related to disturbances will be timed, whenever possible, to occur during periods that will create the least damaging impacts.

Other measures will be taken to minimize environmental impacts of the proposed project. These measures are further discussed in the EIS.

9) Compensatory Actions Taken to Mitigate Impacts: Although all reasonable avoidance and minimization measures will be taken to limit impacts to wetlands and surface waters, some impacts will occur and compensatory mitigation will be required. It is the current policy of the EPA and the COE to provide compensatory mitigation in areas adjacent or within the project area whenever possible. After these efforts are exhausted, then off-site compensatory mitigation should be pursued.

The goal of compensatory mitigation is to replace functions and values of wetlands that may be impacted by the proposed action. MDT is developing the approach to compensatory mitigation for this project. The approach follows a sequence of events that include identifying mitigation opportunities on-site, then off-site opportunities, and as a last resort consider "banking" if additional replacement is still required.

MDT has so far been unable to identify suitable on-site mitigation areas. One off-site wetland mitigation area is already identified for the project and is referred to as "Musgrove Lake." Another site, referred to as the "Reed Property," is being investigated for wetland creation opportunities for impacts that may occur in the Milk River area. These two opportunities are expected to provide sufficient area and suitable conditions to compensate for impacts associated with the proposed project.



In addition, MFWP indicated that the private property at Clear Creek, north of the BNSF Railway, also provides mitigation opportunities. Opportunities exist for reducing channel incision at this site because the creek is severely channeled and the existing concrete rubble dam beneath the railroad trestle is degraded on the property east of the creek. Removing the dam here would open up Clear Creek for native fisheries. However, MDT doesn't own this property and the dam is on the railroad right-of-way, so using the site for mitigation may not be practicable.

- 10) <u>Mitigation Monitoring</u>: To ensure compliance with wetlands policy and increase the chance for successful mitigation efforts, inspections will be made by the Project Manager, MDT's Wetland Biologist, and other interested agency representatives during planning and implementation of the mitigation activities. These inspections are likely to occur as follows:
 - a) Pre-construction meeting with the contractor responsible for implementing mitigation plans.
 - b) Prior to the final grading for the wetlands.
 - c) During the installation of plant material.
 - d) The first full summer after the completion of the wetlands construction to determine the preliminary success of the project.
 - e) During the next three to four growing seasons (interim inspections).
 - f) In the fourth or fifth season after establishment of the wetland area to obtain enough data and observation to determine whether or not the mitigation has been successful (final inspection). If not, plans can be formulated for correction or a decision made to abandon the site and try elsewhere if solutions to assure success at the site are not apparent.
 - g) On a periodic basis to assure no adverse changes in groundwater hydrology (long-term monitoring).

Implementation of the proposed mitigation may also be reviewed during construction by various agencies including MDT, the COE, the Montana Department of Environmental Quality (DEQ), and Montana Fish Wildlife and Parks (MFWP).

F. PROPOSED DISPOSAL SITE DETERMINATION

- 1) Mixing Zone Determination:
 - a) Depth of Water at the Disposal Site: The depths of water at the disposal sites for this project vary considerably between seasons and individual sites. The depth of the non-riparian wetlands are relatively shallow (0 to 0.6 m (0 to 2 ft) deep). The depth of water at the minor stream and drainage crossings is generally 0.3 to 1.2 m (1 to 4 ft) deep.



- b) <u>Current Velocity, Direction, and Variability at Disposal Site</u>: The current and circulation patterns associated with the disposal sites are discussed in Section III.B.2 of this evaluation.
- c) <u>Degree of Turbulence</u>: Minor, localized, and temporary turbulent conditions could possibly result from the discharge of the fill materials into surface waters or by the temporary construction of cofferdams or work platforms for bridge piers or abutments.
- d) Water Column Stratification: The majority of the surface waters that would be affected by the proposed action are comprised of flowing, well-mixed streams and rivers. Therefore, the project's impact to stratification patterns would be insignificant.
- e) <u>Discharge Vessel and Speed</u>: This consideration does not apply to this project.
- f) Rate of Discharge: This information is provided in Section II.E.5 of this evaluation.
- g) Ambient Concentration of Constituents of Interest: Two water bodies in the project area are listed in the DEQ Section 303(d) 2002 Report. This includes the Milk River from Fresno Dam to Whitewater Creek with a probably cause of mercury and metals. In addition, Battle Creek to the mouth of the Milk River is listed with probable causes including algal growth/chlorophyll, nutrients, other habitat alterations, riparian degradation, and siltation. The DEQ Section 303(d) 1996 Report lists the two water bodies above as well as Little Box Elder Creek to the mouth of the Milk River and Lodge Creek to the mouth of the Milk River. However, the 2002 Report indicates that the latter two water bodies require reassessment and should be remain as 303(d) listings until the reassessment is completed. Probable causes for Little Box Elder Creek include nutrients, siltation. and thermal modifications while probable causes for Lodge Creek include noxious aquatic plants, nutrients, organic enrichment/DO, other inorganics, and salinity/TDS/chlorides. Agriculture is the primary source of contamination to water bodies in the vicinity. The project is not expected to have an effect on the concentration of constituents of interest from the placement of fill material.
- h) <u>Dredged or Fill Material Characteristics</u>: The characteristics of the proposed fill materials are discussed in Section III.D.1 of this evaluation.
- i) Number of Discharges per Unit of Time: This information is provided in Section II.E.5 of this evaluation.
- j) Other Factors Affecting Rates and Patterns of Mixing: No other unusual factors or consequences are expected to modify mixing at any disposal sites.
- 2) Evaluation of the Appropriate Factors in F(1) above: An evaluation of the appropriate factors indicates that the disposal sites and sizes of mixing zones are acceptable.



3) Actions to Minimize Adverse Discharge Effects: All appropriate and practicable measures will be taken through application of recommendations provided in Section 230.702 through 230.77 to ensure minimal adverse effects of the proposed discharges. These measures are listed elsewhere in this evaluation and in the EIS.

4) Potential Effects on Human Use Characteristics:

- a) Municipal, Private, and Potential Water Supply: The only anticipated notable effects of the project on water quality in the Milk River Valley is the temporary and localized increase in the level of suspended sediments and turbidity in the surface waters. However, these increases are expected to be much less than those that naturally occur during spring runoff conditions or major rainfall events. Neither the quantity, nor quality, of municipal and private water supplies would be affected by the proposed action since the source of each water supply is groundwater. These water supplies include:
 - A Public Water Supply located just west of the project start point in the City of Havre within 30 m (100 ft) of US 2 and Seventh Avenue south of RP 382.8.
 - Private residential in T32 N, R17 E, S1, PWS source is located within 60 m (200 ft) south of US 2 at RP 392.3.
 - Private residential at RP 395.2 in T33 N, R18 E, S30, PWS source is located within 60 m (200 ft) south of US 2.
- b) Recreational and Commercial Fisheries: The project waters do not support harvestable fish, crustaceans, shellfish, or other aquatic organisms that support commercial fisheries. However, there is some opportunity for recreational sport fishing. Construction activities will be scheduled to avoid sensitive periods when fish populations could be damaged whenever possible. In addition, the project may include the enhancement of informal fishing access points at the Milk River and tributaries. The project could temporarily and locally disrupt fish habitat, thus causing some short-term displacement of fish. This type of impact is expected to be insignificant and will not have a long-term impact or a cumulative impact on any fisheries. The EIS and the BRR discuss these impacts in more detail.
- c) <u>Water-Related Recreation</u>: Recreational fishing was discussed in the previous section. Occasional canoeing and tubing takes place on the Milk River during the summer. During bridge construction, some access to these activities may be temporarily disrupted due to necessary detours.

G. DETERMINATION OF CUMULATIVE EFFECTS ON THE AQUATIC ECOSYSTEM

Past losses of wetland and aquatic resources in the region have resulted primarily from converting wetlands to agricultural and residential/commercial development. Highway improvement projects have also contributed to a lesser extent to these losses up to the time that regulations protecting wetlands were adopted and became law.



Although the project area is not subject to a high degree of development pressure, any future private development in the project area is anticipated to result in impacts to the aquatic system. However, those future actions that are subject to wetland regulations will likely include measures to minimize impacts. Therefore, cumulative effects from private development will not likely result in significant alteration to the aquatic ecosystem.

All federally funded future actions are subject to the requirements of Section 404 of the *Clean Water Act* and will be developed in such a way as to avoid, minimize, or effectively mitigate impacts to wetlands and waters of the United States. This includes federally funded highway projects. The current projects for US 2 in the Statewide Transportation Improvement Program are generally reconstruction of two-lane highways to add shoulders, bridge replacements and resurfacing projects. Surface runoff from these projects will be similar to what is experienced currently. If the improvement of US 2 from a two-lane to a four-lane highway occurs across the state as proposed in MCA 60-2-133, the indirect impacts such as the potential for water quality degradation from increased surface runoff may become a greater problem unless more stringent regulations are adopted for regulating such runoff.

Land development pressure is not anticipated to occur from this project. Therefore, no induced changes in land use are likely to result in substantial impacts to the surface runoff.

H. DETERMINATION OF SECONDARY EFFECTS ON THE AQUATIC ECOSYSTEM

The secondary effects to aquatic ecosystems are associated with a discharge of dredged or fill materials but do not result from the actual placement of the dredged or fill material. Surface runoff poses the most significant secondary effect associated with this project. For this reason, a SWPPP will be established to prevent surface runoff from transporting materials that could degrade these ecosystems.

Another secondary effect is the possibility of accidental hazardous material spills during construction and the subsequent use of the highway. However, any improvements to the existing highway that would improve safety would decrease the chance of these accidental spills resulting from the use of the highway by vehicles transporting hazardous materials. Other secondary or indirect effects of the project are discussed in more detail in the EIS.

By increasing the amount of roadway requiring maintenance, more sand and de-icing materials would be required to cover the larger surface area. Therefore, the use of sediment traps will be investigated during final design and, if appropriate, may be installed with a scheduled maintenance program to clean the traps periodically. A well-established vegetative cover on the sideslopes would improve soil stabilization to help prevent sedimentation from entering the stream/wetland systems.



SECTION IV. FINDINGS OF COMPLIANCE

A. ADAPTION OF THE SECTION 404(B)(1) GUIDELINES TO THIS EVALUATION

This evaluation is based on a conceptual design of the project alternatives and identifies and quantifies the environmental impacts associated with the proposed action insofar as present design data allows. Before the project can be advanced to the design stage, the preferred alternative must be documented in a Record of Decision, and a formal design for it must be developed and approved.

Note: some project specific information required for the Section 404(b)(1) evaluation may not be accurately depicted until final design plans are available.

B. EVALUATION OF AVAILABILITY OF PRACTICABLE ALTERNATIVES TO THE PROPOSED DISCHARGE SITE WHICH WOULD HAVE LESS ADVERSE IMPACT ON THE AQUATIC ECOSYSTEM

Section 230.01(a) of the Guidelines states "except as provided under 404(d)(2), no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences."

Two alignments were initially studied for highway improvement alternatives. One alignment maintained a standard offset from the railroad throughout the entirety of the project corridor. This alignment improved safety and traffic operations at all railroad crossings by increasing the distance between the railroad and travel lanes. The second alignment maintained a desirable minimum offset from the railroad only at prioritized railroad crossings, moving back to the existing alignment in other locations to minimize impacts. Railroad crossings were prioritized according to safety and operational conditions.

Based on the locations of prioritized railroad crossings and cultural, economic, and environmental resources, it was found that this second alignment was most desirable, therefore, it was carried forward for detailed evaluation. The centerline of the alignment falls to the south of the existing highway centerline in most cases, thereby improving the safety and operations at railroad crossings. Each of the alternatives follows the same general alignment through the project corridor. A discussion of the alternatives evaluated with respect to this requirement follows.

The Four-Lane Divided Alternative would have the greatest impacts to jurisdictional wetlands; potential "Talent waters" jurisdictional wetland areas, ditches, and canals; and non-jurisdictional wetland areas, ditches, and canals. Table 3 summarizes the total impacts to wetlands, ditches and canals by project alternative. Of the build alternatives, the Improved Two-Lane Alternative would result in the least amount of wetland impacts and the Four-Lane Divided Alternative would result in the greatest amount of impact.



Under the No-Build Alternative, there would be no changes to vehicular, pedestrian or bicycle safety conditions. Emergency services would continue to experience difficulty traveling the corridor and responding to accidents on the highway due to narrow shoulders and steep side slopes in the clear zone. Farmers' concerns about safety when moving wide agricultural equipment would continue for the same reasons. Furthermore, a reduction in vehicular accident rates along the corridor cannot be achieved. Therefore, the purpose of and need for this project to replace the aging US 2 with a safe and efficient highway would not be met.

The Improved Two-Lane Alternative and the Improved Two-Lane with Passing Lanes Alternative (preferred alternative) would improve operations and safety for emergency and law enforcement services, agricultural equipment, and school buses traveling on US 2, due to wider shoulders and an improved clear zone. Furthermore, vehicles would be able to safely pull to the side of the road for passing emergency vehicles, law enforcement would be able to pull traffic safely to the side of the road, and wide agricultural equipment would be able to travel in or partially within the shoulder. The increased sight distance and recovery area would help drivers avoid crossing wildlife and may decrease animal-related accidents. Safety at railroad crossings and high-volume intersections would also be improved through the increased offset from the railroad and the provision of turn lanes at the intersections. The Improved Two-Lane with Passing Lanes Alternative (preferred alternative) would provide an additional margin of safety and operational efficiency over the Improved Two-Lane Alternative as a result of a system of passing lanes spaced throughout the corridor. Both two-lane alternatives would meet the purpose and needs of the project.

The Four-Lane Undivided and Four-Lane Divided alternatives also meet the project purpose and need and include the same safety improvements from wider shoulders, improved clear zone, increased railroad offsets, and intersection turn lanes as the Improved Two-Lane alternatives. However, compared to the two-lane alternatives, the additional lane in each direction may diminish the number of accidents caused by improper passing because vehicles would not have to enter oncoming traffic lanes in order to pass along the entire length of the corridor.

The Four-Lane Divided Alternative would provide additional safety benefits over the Four-Lane Undivided Alternative because the presence of a grass median would reduce the potential for head-on collisions. Also, the access management inherent with the physical constraint of the center median may decrease driveway-related accidents, and the median area would provide a physical separation from opposing traffic, thereby reducing headlight glare and providing a space for speed changes and storage for left-turning vehicles.

The preferred alternative is the Improved Two-Lane with Passing Lanes Alternative. This alternative with the passing lanes was selected by MDT and FHWA as the preferred alternative because of the increased safety and operational efficiency over the Improved Two-Lane Alternative. In addition, this alternative provides travel efficiency for the traveling public that is comparable to the four-lane alternatives, while incurring fewer environmental impacts.



C. COMPLIANCE WITH APPLICABLE STATE WATER QUALITY STANDARDS

Provided that the following permits were issued, the project would be in compliance with the State Water Quality Standards:

- 1) A Montana Stream Protection Act Permit (124 SPA permit) must be issued by the MFWP. The purpose of the permit is to protect and preserve fish and wildlife resources in their natural existing state. MFWP will examine application information including projected impacts and determine if the proposed action can be approved. Issuance of the permit constitutes compliance.
- 2) A short-term exemption from Montana's Surface or Water Quality Standards (3a authorization) will be required. The Montana DEQ will issue this permit. The purpose of the law is to protect water quality, minimize sedimentation, and provide short-term exemptions from water quality standards to certain activities carried out in accordance with conditions prescribed by Montana DEQ. Approval of the application (outlines impacts) and issuance of the permit constitutes compliance.
- 3) The Montana Floodplain and Floodway Management Act will require Floodplain Development permits issued by the Floodplain Administrators for Blaine County and Hill County. The purpose of this law is to restrict floodplain and floodway areas to uses that will not be seriously damaged or present a hazard to life if flooded, thereby limiting the expenditure of public tax dollars for emergency operations and disaster relief. Application for the permit provides specific engineering information to evaluate impacts and approval of the application and issuance of the permit constitutes compliance.
- 4) The project will require a Section 402 Montana Pollutant Discharge and Elimination System permit from the Montana DEQ. The purpose of this law is to minimize soil erosion and sedimentation, thereby maintaining water quality and protecting aquatic resources. Specific plans for stormwater pollution prevention are developed and submitted for review by Montana DEQ, demonstrating how and where BMPs will be used to minimize adverse impacts to aquatic resources. Approval of the plan and establishment of such additional conditions as may be necessary through issuance of the permit constitute compliance.
- 5) Section 401 of the Clean Water Act requires the Montana DEQ certify that any discharges into State waters comply with water quality standards before Federal permits or licenses are granted. The purpose of this law is to restore and maintain the chemical, physical, and biological integrity of Montana's surface waters. Montana DEQ will review plans for construction of a given project as well as reviewing the status of other permits requested from and issued by other agencies before approving the proposal. Issuance of the permit constitutes compliance.

In all cases, review of proposed plans and possible impacts associated with implementation of the proposed action may require agencies to request modification of the design, implement mitigation measures, or meet other specified requirements



before compliance is achieved through permit issuance. Strict adherence to the permits and their associated provisions and conditions constitute compliance during construction and after for the life of the improvement. Unapproved deviations or non-adherence to these conditions would constitute non-compliance with the law, requiring the owner to take corrective action or face associated penalties or civil action.

As long as acceptable construction practices and design procedures are followed, the acquisition of these permits should be fairly routine. BMPs will be identified using a SWPPP to ensure compliance with the State of Montana's Pollutant Discharge Elimination System regulations.

The EIS further discusses the project relative to the State of Montana's Water Quality standards. Contractors will be required to strictly adhere to the provision of all permits and regulations.

The project is in compliance with the following federal water quality standards:

- a) <u>Clean Water Act, as Amended (Federal Water Pollution Control Act), 33 USC 1251 et seq:</u>
 - The project is in compliance. Although Section 404 permit processing has not been completed, FHWA has been in contact with the COE and the EPA and early coordination is allowing proper planning to meet all requirements.
- b) Fish and Wildlife Coordination Act, as Amended, 16 USC 661, et seq: The project is in compliance. The MFWP and the USFWS were contacted and their comments were incorporated into the EIS.
- c) <u>Floodplain Management (Executive Order 11988)</u>: The project is in compliance. The project will be designed to not have significant effects on floodplains.
- d) <u>Protection of Wetlands (Executive Order 11990)</u>: The project is in compliance. The project will involve work below the highwater line but appropriate measures to first avoid, then minimize, then compensatory mitigate impacts have been established.
- 6) The following federal water quality standards are not considered to be applicable to this project:
 - a) Coastal Zone Management Act, as Amended, 16 USC 1531, et seq:
 This Act is not applicable because the project area does not involve a coastal zone.
 - b) Estuary Protection Act, 16 USC 1221, et seq: This Act is not applicable because the project does not involve an estuary.
 - c) Federal Water Project Recreation Act, as Amended, 16 USC 460-1(12) et seq: This Act is not applicable because the project is not considered to be a water recreation project.



- d) Marine Protection, Research, and Sanctuaries Act, 33 USC, 1401, et seq: This Act is not applicable because the project does not involve the discharge of materials into the ocean.
- e) <u>Rivers and Harbors Act, 33 USC, 401, et seq</u>: This Act is not applicable because the project would not place obstruction in a navigable waterway.
- f) Watershed Protection and Flood Prevention Act, 16 USC 1101, et seq: This Act is not applicable because the project does not involve the construction of dams in an upstream watershed.

D. COMPLIANCE WITH APPLICABLE TOXIC EFFLUENT STANDARD OR PROHIBITION UNDER SECTION 307 OF THE CLEAN WATER ACT

Section 307 of the Clean Water Act imposes effluent limitations or prohibitions on discharge of materials containing toxic pollutants into surface waters, specifically adrin/dieldrin, several DDT compounds, endrin, toxaphene, benzidine, and polychlorinated biphenyis (PCB). The project will not discharge any of these specified toxic pollutants; therefore it will be in compliance with Section 307 of the Clean Water Act.

E. COMPLIANCE WITH ENDANGERED SPECIES ACT OF 1973, AS AMENDED

A BRR has been prepared for this project that addresses impacts to threatened and endangered species. The BRR concluded that the project may affect but is not likely to adversely affect bald eagles or their habitat and will have no effect on black-footed ferrets and black-tailed prairie dogs.

F. COMPLIANCE WITH SPECIFIC MEASURES FOR MARINE SANCTUARIES DESIGNATED BY THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972

Due to the fact that this project does not involve the ocean, this act is nonapplicable.

G. EVALUATION OF EXTENT OF DEGRADATION OF THE WATERS OF THE UNITED STATES

Each of the following sections are previously discussed in this evaluation. The following statements represent the conclusions of these discussions.

1) <u>Significant Adverse Effects on Human Health and Welfare</u>: This project will not adversely affect municipal or private water supplies, recreation and commercial fisheries, aesthetics, or water-borne disease rates. Although temporary water quality degradation associated with turbidity and sedimentation and temporary cessation of



- informal fishing access would occur during construction, no long-term adverse impacts on water quality or the human environment are anticipated.
- 2) Significant Adverse Effects on Life Stages of Aquatic Life and Other Wildlife Dependent on Aquatic Ecosystems: Short-term localized disruption to wildlife habitat, benthos, invertebrates and vertebrates, photosynthesis, plankton, and sight feeders is expected to result from the turbidity and sedimentation caused by construction. However, this project would not significantly or adversely produce long-term effects on the life stages of aquatic organisms or other wildlife dependant upon aquatic ecosystems.
- 3) Significant Adverse Effects on aquatic Ecosystem, Ecosystem Diversity, Productivity, and Stability: This project would not produce significant adverse effects on the diversity, productivity, or stability of the aquatic ecosystems in the project area.
- 4) <u>Significant Adverse Effects on Recreational, Aesthetic, and Economic Values</u>: This project would not have a significant adverse effect on the recreational, aesthetic, or economic value of any waters of the United States or aquatic ecosystems in the project area.

H. APPROPRIATE AND PRACTICABLE STEPS TAKEN TO MINIMIZE POTENTIAL ADVERSE IMPACTS OF THE DISCHARGE ON THE AQUATIC ECOSYSTEM

The measures taken to minimize the adverse impacts of the discharge on the aquatic ecosystems have previously been described in this evaluation. To summarize, the most significant impact of the proposed project would be erosion of disturbed areas producing increased levels of suspended sediments and turbidity in the surface waters. To minimize these adverse impacts during and after construction, a SWPPP will be established to identify and assure implementation of BMPs. General steps to minimize adverse impacts include:

- 1) Ensure that the project conforms to the natural existing characteristics of the aquatic ecosystem and surrounding terrain.
- 2) Limit the duration and the area of disturbed land.
- 3) Restore and reseed the disturbed areas as soon as practical.
- 4) Control storm runoff by reducing velocities, retaining sediments, and properly maintaining erosion control features.
- 5) Ensure proper maintenance of erosion control structures and methods.
- 6) Time disturbances of the aquatic ecosystem to avoid sensitive periods such as breeding, migration, etc.



- 7) Emphasize the avoidance and minimization of impacts to wetlands before the mitigation of wetlands.
- 8) Assure perpetuation of wetland functions and values.
- 9) Employ additional measures as discussed in the EIS.

I. CONCLUSIONS

Following the inclusion of appropriate and practicable conditions to minimize pollution or adverse effects on the aquatic ecosystem, the proposed disposal sites for the direct discharge of dredged or fill material are specified as complying with the requirements and the guidelines of Section 404 of the Clean Water Act. The appropriate and practicable conditions are discussed in Section H above.



APPENDIX A – REFERENCES AND PERSONAL COMMUNICATION

David Evans and Associates, Inc., September 2004. US 2, Havre to Fort Belknap – Biological Resources Report Addendum.

David Evans and Associates, Inc., December 19, 2003. US 2, Havre to Fort Belknap – Biological Resources Report.

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, US Army Engineer Waterways Experiment Station, Vicksburg, Michigan.

Terracon, 2003. US 2, Havre to Fort Belknap – Preliminary Geotechnical Evaluation.

US Army Corps of Engineers (COE). 1992. *Regulatory Guidance Letter MRO 92-01*, September 14, 1992. Omaha District. Omaha, Nebraska

US Army Corps of Engineers (COE). 1992a. *Regulatory Guidance Letter MRO 92-02*, August 17, 1992. Omaha District. Omaha, Nebraska.

US Army Corps of Engineers (COE). 1995. *Regulatory Guidance Letter MRO 95-10*, November 17. Omaha District. Omaha, Nebraska.

U.S. Department of Transportation (USDOT), 2004. *Information and FHWA Guidance Jurisdictional Coverage of Isolated, Non-Navigable Intrastate Waters Under the Section 404 Permit Program.* Web page last modified on January 23, 2004. United States Department of Transportation, Federal Highway Administration. http://www.fhwa.dot.gov/environment/wetland/swanccg.htm.

US Fish and Wildlife Service. 2002. Response letter to request for information on threatened and endangered species in the vicinity of the project site of US 2 project area. USFWS, Montana Field Office. Helena, Montana. October 31.

US Fish and Wildlife Service. 2003. Department of the Interior Fish and Wildlife Service 50 CFR Part 17 RIN 1018-AI45 Endangered and Threatened Wildlife and Plants; Withdrawal of the Proposed Rule to List the Mountain Plover as Threatened. Federal Register: September 9, 2003 (Volume 68, Number 174)] [Proposed Rules] [Page 53083-53101] From the Federal Register Online via GPO Access [wais.access.gpo.gov].

USDA, Soil Conservation Service. 1986. DRAFT Soil Survey of Blaine County and Parts of Phillips County Area, Montana.

USDA, Soil Conservation Service. 1989. DRAFT Soil Survey of Hill County Area, Montana.

Correspondence

US Army Corps of Engineers (COE). September 20, 2004. Letter to MDT re: Subject: Jurisdictional Determination of Ditches.



US Army Corps of Engineers (COE). September 2, 2004. Letter to MDT re: Subject: Improved Two-Lane Alternatives.

US Army Corps of Engineers (COE). August 13, 2004. Letter to MDT re: Subject: Corps Comments – Draft Environmental Impact Statement (DEIS).

Personal Communication

Hagener, Lou. 2003. Personal communication with BLM biologist concerning wildlife species in the US 2 project area. October 30 project meeting in Havre.

Jackson, Scott. 2003. Personal communication with USFWS wildlife biologist concerning wildlife species in the US 2 project area. October 30 project meeting in Havre and November 5.

September 2004

APPENDIX F – Cultural Resources

Summary of Cultural Resources Inventory

Memorandum of Agreement (Vincent Pefaur Homestead (24BL1541))

Programmatic Agreement (Historic Roads and Bridges)

Correspondence

Advisory Council on Historic Preservation

Montana Historical Society

Tribal Cultural Representatives



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Site #:	Site Type	NRHP Eligibility	Topo. Quad.	Sec. #	Township	Range	Source(s)	SHPO Concurrence (letter date)
		Engionity		AINE (COUNTY		<u> </u>	(letter date)
PREVIOI	USLY RECORDED SITES		D E.		3001(11			
24BL156	Farmstead	Not Eligible	Ft. Belknap Siding	6	32	22	Fox, 1980 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL838	Harlem-Snake Butte Railroad	Eligible – A	Harlem	20	32	23	Keller, 2000 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL909	Milk River Diversion Dam and Main Canal	Not Eligible	Ft. Belknap Agency	32	32	23	Rossillon, 1985 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL929	Chinook Bridge	Not Eligible	Chinook	29	33	20	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL930	Three Mile East Chinook Bridge	Not Eligible	Chinook	30	33	20	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL931	One Mile West Zurich Bridge	Not Eligible	Zurich	25	33	20	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL932	Half Mile West Zurich Bridge	Not Eligible	Zurich	30	33	20	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL933	Three Mile East Chinook Bridge (west of 24BL930)	Not Eligible	Chinook	30	33	19	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL934	East Edge Chinook Bridge/Red Rock Creek Overflow	Not Eligible	Chinook	27	33	19	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL935	Two Mile West Chinook Bridge	Not Eligible	Lohman SE	29	33	19	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL936	Three Mile West Chinook Bridge	Not Eligible	Lohman SE	30	33	19	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL937	One Mile West Chinook Bridge	Not Eligible	Lohman SE	28	33	19	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL952	West Harlem Bridge	Not Eligible	Harlem	18	32	23	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL953	Five Mile East Chinook Bridge	Not Eligible	Chinook	28	33	20	Axline, 1993 Ethnoscience, January 2003	Concur (February 28, 2003)

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Site #:	Site Type	NRHP	Topo.	Sec. #	Township	Range	Source(s)	SHPO Concurrence
		Eligibility	Quad.	COLDI				(letter date)
	BLAINE COUNTY (continued)							
24BL954	Two Mile East Chinook Bridge	Not Eligible	Chinook	25	33	19	Axline, 1993	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL955	Six Mile West Chinook Bridge	Not Eligible	Lohman	28	33	18	Axline, 1993	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL956	One Mile East Chinook Bridge	Not Eligible	Chinook	28	33	19	Axline, 1993	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL957	One Mile West Chinook Bridge	Not Eligible	Lohman SE	29	33	19	Axline, 1993	Concur
	(west of 24BL937)						Ethnoscience, January 2003	(February 28, 2003)
24BL958	Seven Mile West Chinook	Not Eligible	Lohman	29	33	18	Axline, 1993	Concur
	Bridge						Ethnoscience, January 2003	(February 28, 2003)
24BL981	Lodge Creek Bridge	Eligible – C	Chinook	26	33	19	Axline, 2000	Concur
(24BL1050)							Ethnoscience, January 2003	(February 28, 2003)
24BL1120	Terbovitz Homesite	Not Eligible	Lohman	29	33	18	Dau and Brumley, 1989	Concur
							Ethnoscience, January 2003	(May 24, 2004)
							Ethnoscience, September, 2003	
							Ethnoscience, February 2004	
							Brownell, May 2004	
24BL1121	Hawley Place	Not Eligible	Lohman	29	33	18	Dau and Brumley, 1989	Concur
							Ethnoscience, January 2003	(May 24, 2004)
							Ethnoscience, September, 2003	
							Ethnoscience, February 2004	
							Brownell, May 2004	
24BL1122	Parson's Farm	Not Eligible	Lohman SE	29	33	19	Dau and Brumley, 1989	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1146	Battle Creek Bridge	Eligible – C	Zurich	27	33	20	Axline, 1993	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1247	Doughten Ford Dealership	Not Eligible	Chinook	27	33	19	Ashley, 1992	Concur
	Building						Ethnoscience, January 2003	(February 28, 2003)
24BL1248	Bear Paw Court Motel and	Eligible – C	Chinook	27	33	19	Ashley, 1992	Concur
	Apartments						Ethnoscience, January 2003	(February 28, 2003)

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Site #:	Site Type	NRHP	Topo.	Sec. #	Township	Range	Source(s)	SHPO Concurrence
		Eligibility	Quad.	1				(letter date)
			BLAINE	COUN	TY (contin	ued)		
24BL1249	Conoco "C" Store	Not Eligible	Chinook	27	33	19	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1250	Farmer's Union Oil Company	Not Eligible	Chinook	27	33	19	Ashley, 1992	Concur
	Building						Ethnoscience, January 2003	(February 28, 2003)
24BL1251	Jamieson's Garage	Eligible – C	Chinook	27	33	19	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1252	Precision Auto Sales Building	Not Eligible	Chinook	27	33	19	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1253	B&L Mechanics Building	Not Eligible	Chinook	27	33	19	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1254	Pehrson's Exxon	Eligible – C	Chinook	27	33	19	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1257	Tastee Freez Drive-in	Not Eligible	Chinook	27	33	19	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1258	Midway Tavern	Not Eligible	Lohman	29	33	18	Ashley, 1992	Concur
							Ethnoscience, January 2003	(May 24, 2004)
							Ethnoscience, September, 2003	
							Ethnoscience, February 2004	
							Brownell, May 2004	
24BL1259	Modern Cabins and Grocery	Not Eligible	Lohman	29	33	18	Ashley, 1992	Concur
							Ethnoscience, January 2003	(May 24, 2004)
							Ethnoscience, September, 2003	
							Ethnoscience, February 2004	
							Brownell, May 2004	
24BL1260	Spa Bar	Not Eligible	Zurich	30	33	21	Ashley, 1992	Concur
							Ethnoscience, January 2003	(February 28, 2003)
24BL1351	Harlem Canal	Eligible – A	Harlem		s project are	ea; see	Passman, 1995	Concur
(24BL943)					scription	1	Ethnoscience, January 2003	(February 28, 2003)
24BL1537	Matheson Ditch	Not Eligible	Zurich	27	33	20	Ethnoscience, January 2003	Concur
							Ethnoscience, January 2004	(April 5, 2004)

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Site #:	Site Type	NRHP Eligibility	Topo. Quad.	Sec. #	Township	Range	Source(s)	SHPO Concurrence (letter date)
		9 3		COUN	TY (contin	ued)		
24BL1540	Madras School	Not Eligible	Harlem	4	32	22	Hufstetler and McCormick, 1997 Ethnoscience, January 2003 Ethnoscience, September, 2003	Concur (September 26, 2003)
24BL1541	Vincent Pefaur Farmstead	Eligible – A and C	Harlem	10	32	22	Hufstetler and McCormick, 1997 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1542	Knute and Ardele Kulbeck Farmstead	Eligible – A and C	Harlem	11	32	22	Hufstetler and McCormick, 1997 Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1570 (a)	Glacier Park Highway Bridge I	_	Lohman	1	32	17	Axline, 2000b Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1570 (b)	Glacier Park Highway Bridge II	Not Eligible	Lohman	36	33	17	Axline, 2000b Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1573	US 2 Highway segment	N/A: MDT Programmatic Agreement	various		s project are scription	ea; see	Ethnoscience, January 2003	N/A (February 28, 2003)
24BL1574 (24BL1543)	Great Northern Railroad segment	Eligible – A and C	various		s project are scription	ea; see	Boughton et al., 2000 Ethnoscience, January 2003	Concur (February 28, 2003)
	Stone Ring	Not Eligible	Lohman	2	32	17	Boughton et al., 2000 Ethnoscience, January 2003 Ethnoscience, December 2003	Concur (January 13, 2004)
24BL1576	Stone Ring	Not Eligible	Lohman	2	32	17	Boughton et al., 2000 Ethnoscience, January 2003 Ethnoscience, December 2003	Concur (January 13, 2004)
24BL1577	Farmstead	Not Eligible	Lohman	1	32	17	Boughton et al., 2000 Ethnoscience, January 2003	Concur (February 28, 2003)
NEWLY RI	ECORDED SITES							
24BL1708	Field Bridge (Harlem Canal)	Not Eligible	Harlem	11	33	22	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1709	Historic Cultural Material Scatter/Feature	Not Eligible	Harlem	11	33	22	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1710	Historic Cultural Material Scatter/Feature	Not Eligible	Harlem	11	33	22	Ethnoscience, January 2003	Concur (February 28, 2003)

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Site #:	Site Type	NRHP	Topo.	Sec. #	Township	Range	Source(s)	SHPO Concurrence
		Eligibility	Quad.					(letter date)
24BL1711	Historic Cultural Material Scatter/Feature	Not Eligible	Zurich	28	33	20	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1712	Historic Cultural Material	Not Eligible	Lohman	28	33	18	Ethnoscience, January 2003	Concur
2.551,12	Scatter/Feature	i vet Englete				10	Ethnoscience, December 2003	(January 13, 2004)
24BL1713	Circular Depressions and	Not Eligible	Lohman	28	33	18	Ethnoscience, January 2003	Concur
	Linear Mound						Ethnoscience, December 2003	(January 13, 2004)
24BL1714	Residence	Not Eligible	Chinook	26	33	23	Ethnoscience, January 2003	Concur
		_					-	(February 28, 2003)
24BL1715	Bunkhouse	Not Eligible	Ft. Belknap	28	32	23	Ethnoscience, January 2003	Concur
			Agency				-	(February 28, 2003)
24BL1716	Farmstead	Not Eligible	Zurich	31	33	21	Ethnoscience, January 2003	Concur
								(February 28, 2003)
24BL1717	Residence	Not Eligible	Zurich	25	33	20	Ethnoscience, January 2003	Concur
								(February 28, 2003)
24BL1718	East Chinook School	Unresolved	Chinook	29	33	20	Ethnoscience, January 2003	No Concurrence
							Ethnoscience, September, 2003	(February 28, 2003)
								September 26, 2003)
24BL1719	Residence	Not Eligible	Chinook	30	33	20	Ethnoscience, January 2003	Concur
								(February 28, 2003)
24BL1720	Bunkhouse	Unresolved	Chinook	26	33	19	Ethnoscience, January 2003	No Concurrence
							Ethnoscience, September, 2003	(February 28, 2003)
								September 26, 2003)
24BL1721	Farmstead	Not Eligible	Chinook	26	33	19	Ethnoscience, January 2003	Concur
								(February 28, 2003)
24BL1722	Chinook Railroad Depot and	Unresolved	Chinook	27	33	19	Ethnoscience, January 2003	No Concurrence
	Yard						Ethnoscience, September, 2003	(February 28, 2003)
								September 26, 2003)
24BL1723	Farmstead	Not Eligible	Harlem	20	32	23	Ethnoscience, January 2003	Concur
								(February 28, 2003)
24BL1724	Crossen-Nissen Farmstead	Not Eligible	Harlem	19	32	23	Ethnoscience, January 2003	Concur
								(February 28, 2003)

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Site #:	Site Type	NRHP	Topo.	Sec. #	Township	Range	Source(s)	SHPO Concurrence
		Eligibility	Quad.			•		(letter date)
24BL1725	Zurich (GTA) Grain Elevator	Eligible –A and C	Zurich	31	33	21	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1726	Bob Burns Barn	Eligible – C	Zurich	31	33	21	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1727	Drugge Farmstead	Not Eligible	Zurich	25	33	20	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1728	Chinook (Farmers Union GTA) Grain Elevator	Eligible –A and C	Chinook	27	33	19	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1729	Chinook (GTA Feed Mill) Grain Elevator	Eligible –A and C	Chinook	27	33	19	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1730	Bitzer & O'Hanlon Farmstead	Unresolved	Chinook	27	33	23	Ethnoscience, January 2003 Ethnoscience, September, 2003	No Concurrence (February 28, 2003 September 26, 2003)
24BL1731	Fifteen Mile Creek Bridge	Eligible – C	Zurich	32	33	21	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1732	Unnamed Wooden Bridge	Not Eligible	Chinook	25	33	19	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1733	Unnamed Wooden Bridge	Not Eligible	Chinook	27	33	19	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1734	Milk River Bridge	Not Eligible	Lohman SE	27	33	18	Ethnoscience, January 2003 MDT letter to SHPO regarding destruction of bridge, November 20, 2003	Concur (November 20, 2003)
24BL1735	Maddox Farmstead	Not Eligible	Chinook	30	33	20	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1736	Asphalt Refinery	Not Eligible	Chinook	26	33	19	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1737	Grain Elevator (Leased to Milk River Elevator)	Not Eligible	Chinook	27	33	21	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1738	Cowell Farmstead	Not Eligible	Harlem	12	32	22	Ethnoscience, January 2003	Concur (February 28, 2003)

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Site #:	Site Type	NRHP Eligibility	Topo. Quad.	Sec. #	Township	Range	Source(s)	SHPO Concurrence (letter date)
24BL1739	Auto Body Shop	Not Eligible	Chinook	27	33	23	Ethnoscience, January 2003	Concur (February 28, 2003)
24BL1740	Former "Little Chicago" Neighborhood Site	Not Eligible	Ft. Belknap Agency	33	32	23	Ethnoscience, January 2003	Concur (February 28, 2003)
			Н	ILL CO	DUNTY			•
PREVIOUS	SLY RECORDED SITES							
24HL942	Burlington Northern-Santa Fe Railroad segment	Eligible – A and C	Havre Havre SE		project are scription	a; see	Boughton et al., 2000 Ethnoscience, January 2003	Concur (February 28, 2003)
24HL1121 (1)	Glacier Park Highway Bridge I	Not Eligible	Havre SE	1	32	16	Axline, 2000c Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1121 (2)	Glacier Park Highway Bridge II	Not Eligible	Havre SE	4	32	17	Axline, 2000c Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1121 (3)	Glacier Park Highway Bridge III	Not Eligible	Havre SE	3	32	17	Axline, 2000c Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1123	Vacant Residence	Not Eligible	Havre SE	4	32	17	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1124	House and Cabins	Not Eligible	Havre	3	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1125	Single-wide Trailer	Not Eligible	Havre	4	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1126	Building, Trailers, Shed	Not Eligible	Havre	4	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1127	Farmstead	Not Eligible	Havre	3	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)

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Summary of Cultural Resources Inventory, US 2: Havre to Fort Belknap, 2002 and 2003 (continued)

Site #:	Site Type	NRHP	Topo.	Sec. #	Township	Range	Source(s)	SHPO Concurrence
		Eligibility	Quad.					(letter date)
24HL1128	US 2 Highway segment	N/A: MDT Programmatic Agreement	Havre Havre SE		project are scription	a; see	Ethnoscience, January 2003	Concur (February 28, 2003)
24HL1129	House, Pump, and Anderson Ditch	Not Eligible	Havre SE	4	32	17	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1130	Scale Association Building and Outhouse	Not Eligible	Havre SE	6	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1131	Residence	Not Eligible	Havre	3	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1132	Residence	Not Eligible	Havre	3	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1133	Sunset Drive-in Theater	Eligible – A and C	Havre	3	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (February 28, 2003)
24HL1134	Doll's Cabinet and Woodcraft Building	Not Eligible	Havre	3	32	16	Boughton et al., 2000 Ethnoscience, January 2003	Concur (No response within 30 days)
24HL1135	Little Box Elder Creek Bridge	Not Eligible	Havre SE	4	32	17	Boughton et al., 2000 Axline, 2000d Ethnoscience, January 2003	Concur (No response within 30 days)
NEWLY R None	ECORDED SITES							
TAOHC								

Sources:

Ashley, Joseph M., 1992. Montana Roadside Architecture Inventory. Site Forms 24BL1247-1257 and 24BL1260.

Axline, 1993. *Monuments Above the Water: Montana's Historic Highway Bridges, 1860-1956*. Montana Department of Transportation, Helena, Montana.

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Axline, 2000a. *Inventory and Assessment: Reinforced Concrete T-Beam Bridges, 1913-1956*. Environmental Services, Montana Department of Transportation.

Axline, 2000b. Montana Department of Transportation Historic Bridge Site Form. 24BL1570.

Axline, 2000c. Montana Department of Transportation Historic Bridge Site Form. 24BL1121.

Axline, 2000d. Montana Department of Transportation Historic Bridge Site Form. 24BL1135.

Boughton, Jon, Lynn M. Peterson, and Blain Fandrich, 2000. *Cultural Resource Inventory of Highway 2 Between Milepost 383.6 and Milepost 394, Hill and Blaine Counties, Montana*. Ethnoscience for Montana Department of Transportation.

Brownell, Joan L., May 2004. Reevaluation of the Potential for a National Register Historic District in Lohman, Montana.

Dau, B.J. and J.H. Brumley, 1989. A Cultural Resource Inventory of the Lohman-East and West Road Project F 1-7()394. Ethos Consultants for the Montana Department of Transportation.

Ethnoscience, December 2003. Archaeological Investigations for the US Highway 2 Havre to Fort Belknap Project (PLH-TSCP1-6(44)384, CN4951): A Report on the Subsurface Findings at Sites 24BL1575, 24BL1576, and 24BL1712 in Blaine County, Montana. David Evans for Montana Department of Transportation.

Ethnoscience, February 2004. A National Register District Eligibility Evaluation of Lohman, Montana. David Evans for Montana Department of Transportation.

Ethnoscience, January 2003. Fort Belknap to Havre – A Cultural Resource Inventory Along US Highway 2. David Evans for Montana Department of Transportation.

Ethnoscience, January 2004. Site Amendment Form, National Register of Historic Places (NRHP) Eligibility Recommendation for 24BL1535 (Matheson Ditch). David Evans for Montana Department of Transportation.

Ethnoscience, July 2003. *Addendum to: Fort Belknap to Havre – A Cultural Resource Inventory Along US Highway 2.* David Evans for Montana Department of Transportation.

Ethnoscience, September 2003. Letter (September 20, 2003) providing additional information on sites 24BL1140, 24BL1718, 24BL1720, 24BL1722, and 24BL1730.

Fox, Jr., Richard A., 1980. Site form, on file at University of Montana.

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Hufstetler, Mark and Mary McCormick, 1997. Zurich-Harlem U.S. Highway 2 Reconstruction Project Blaine County, Montana; A Cultural Resource Inventory. Renewable Technologies, Inc. for the Montana Department of Transportation.

Keller, 2000. Fort Belknap Treatment Plant, Pipeline, and Access Road (1008BAO/FB-99). CRABS document BL 2 33632 on file at Montana State Historic Preservation Office, Helena, MT.

MDT, November 2003. Letter to SHPO regarding accident involving two semi-tractor on Milk River Bridge and subsequent lack of eligibility of the structure due to damage.

Passmann, Dori, 1995. Zurich-Harlem Canal Project. Natural Resources Conservation Service, Helena, MT.

Rossillon, Mitzi, 1987. Final Report of Archaeological and Historic Site Survey in the Fort Belknap-East Highway Project Area (F 1-7(4)430). Montana Department of Highways, Helena, MT.

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RECEIVED

SEP 16 2004

FHWA MONTANA DIVISION

Preserving America's Heritage

September 13, 2004

Dale Paulson Federal Highway Administration 2880 Skyway Drive Helena, MT 59602

REF: Hwy. 2 Construction, Hill & Blaine Counties, MT. - PLH-TCSP1-6(44)384.

Dear Mr. Paulson:

We received your notification and supporting documentation regarding the adverse effects of the referenced project on a property or properties eligible for inclusion in the National Register of Historic Places. Based upon the information you provided, we do not believe that our participation in consultation to resolve adverse effects is needed. However, should circumstances change, please notify us so we can reevaluate if our participation is required. Pursuant to 36 CFR 800.6(b)(iv), you will need to file the Memorandum of Agreement, and related documentation at the conclusion of the consultation process. The filing of this Agreement with the ACHP is necessary to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions, please contact Carol Legard at 969-5110 or via eMail clegard@achp.gov.

Sincerely,

Nancy Kochan

Office Administrator/Technician

Western Office of Federal

Agency Programs

Nany Kochan

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AUG 3 1 2004

ENVIRONMENTAL

MEMORANDUM OF AGREEMENT PLH-TCSP 1-6(44)384 US 2 – HAVRE TO FORT BELKNAP HILL & BLAINE COUNTIES, MONTANA Control No. 4951

WHEREAS the Federal Highway Administration (FHWA) proposes to assist the Montana Department of Transportation (MDT) in funding the US – Havre to Fort Belknap highway reconstruction project.

WHEREAS FHWA has determined that the undertaking will have an effect on one historic property: the Vincent Pefaur Homestead (24BL1541). The FHWA has consulted with the Montana State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act (16 USC 470) and its implementing regulations, "Protection of Historic Properties" (36 CFR 800);

WHEREAS MDT participated in the consultation and have been invited to concur in this Memorandum of Agreement;

NOW, THEREFORE; FHWA and the Montana SHPO agree that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

Conduct Historic American Building Survey (HABS)-level documentation of the Vincent Pefaur Homestead (24BL1541). The documentation would include an extensive site history, large-format photographs, map, and drawings of any significant features of buildings and structures on the property. The information will be provided to the Blaine County Museum, the Montana SHPO, and the National Park Service if deemed appropriate.

- 2) The MDT will install an historical marker adjacent to US Highway 2 near the site of the Vincent Pefaur Homestead (24BL1541) that describes the history and significance of agriculture to Blaine County.
- 3) If a dispute arises regarding the implementation of Agreement, FHWA shall consult with the objecting party to resolve the dispute. If any consulting party determines that the dispute cannot be resolved, FHWA shall request the further comments of the Advisory Council on Historic Preservation pursuant to the Council's regulations.

EXECUTION OF THIS MEMORANDUM OF AGREEMENT and implementation of its terms evidences that FHWA has afforded the Council an opportunity to comment on the US 2 – Havre to Fort Belknap highway reconstruction project and its affects on historic properties, and that FHWA has taken into account the effect of the Undertaking on historic properties.

Federal Highway Administration

Date

Montana State Historic Preservation Office

Date

Concurring Party:

Montana Department of Transportation

Charles 23, 2004

-20-2001

PROGRAMMATIC AGREEMENT

Among the Federal Highway Administration (FHWA), the Montana State Historic Preservation Office (MSHPO), and the Advisory Council on Historic Preservation (ACHP), to develop a historic preservation plan to establish processes for integrating the preservation and use of historic roads and bridges with the mission and programs of the FHWA in a manner appropriate to the nature of the historic properties involved, the nature of the roads and bridges in Montana, and the nature of FHWA's mission to provide safe, durable and economical transportation.

WHEREAS, Congress has mandated that highway bridges be evaluated, and where found substandard, be rehabilitated or replaced and has provided funding for these purposes, to insure the safety of the traveling public (through the Highway Bridge Replacement and Rehabilitation Program); and

WHEREAS, the American Association of State Highway and Transportation.Officials (AASHTO) has standards regulating the construction and the rehabilitation of highways and bridges that must be met by the FHWA to insure the safety of the traveling public; and

WHEREAS, Congress declares it to be in the national interest to encourage the rehabilitation, reuse and preservation of bridges significant in American history, architecture, engineering and culture; and

WHEREAS, the FHWA proposes to make Federal funding available to the Montana Department of Highways (MDOH) for its engoing program to construct and rehabilitate roads and bridges, and MDOH concurs in and accepts responsibilities for compliance with this Agreement; and

WHEREAS, the FHWA has determined that the construction and improvement of highways may have an effect on historic roads and bridges that are listed in the National Register of Historic Places, or may be determined eligible for listing, and have consulted with the ACHP and the MSHPO pursuant to Section 800.13 of the regulations (36CFR800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the parties understand that not all historic roads and bridges fall under the jurisdiction or sphere of influence of the FHWA, and that to encourage other parties to participate in preservation efforts; an education to foster a preservation ethic is needed; and

NOW THEREFORE, FHWA, MSHPO, and ACHP agree, and MDOH concurs, that the following program to enhance the preservation potential of historic roads and bridges, and to promote management and public understanding of and appreciation for these cultural resources will be enacted in lieu of regular Section 106 procedures as applied to historic roads and bridges only.

Stipulations

The Federal Highway Administration will ensure that the following program is carried out:

The Federal Highway Administration, in cooperation with the Montana Department of Highways, will develop a preservation plan to ensure the preservation and rehabilitation of the states significant historic roads and bridges, and will develop an on-going educational program to interpret significant historic roads and bridges that illustrate the engineering, economic, and political development of roads in Montana. Specifically:

A. For Public Education

- MDOH will prepare technical documentation of the history of roads and road construction, and of the history of bridge building in the state, according to a format developed by MDOH in consultation with the MSHPO and in compliance with the Secretary of the Interior's Standards for Preservation Planning. From this documentation MDOH will prepare narrative histories suitable for publication for the general public. Draft copies of the documentation and the narrative histories will be submitted to the FHWA, MSHPO and a list of qualified reviewers to be determined by FHWA, MDOH and MSHPO by December 1, 1990, and 45 days will be allowed for reviewers to comment. MDOH will prepare final documentation and histories by May 1, 1991. Final copies will be distributed to the district, area, and field offices of the MDOH, to the County Commissioners, county road and bridge departments, and county historical societies, to the owners of significant roads and bridges identified in the documentation, to the Montana Historical Society Library and the Montana State Library, and to the general public as requested.
- 2. MDOH will develop and make available to newspapers and publishers of historical and of engineering journals articles suitable for public information on historic roads and bridges and on their construction and continued significance.
- 3. MDOH will augment its historic sign program by developing interpretation for the traveling public at existing rest areas or pull-overs to explain Montana's road construction and bridge engineering. It will develop on-site interpretation for significant resources that can be viewed and appreciated by the public.
- 4. By April 15, 1990 MDOH will develop and circulate a traveling exhibit that portrays the history of the development of transportation in Montana.
- 5. By December 1, 1991 MDOH will develop and circulate a public program (slide/tape or video) of approximately 20 minutes, suitable for use at public or organization gatherings, classrooms, etc.

B. For Historic Road and Bridge Preservation

1. The FHWA, in co-operation with the MDOH, will prepare a plan for the preservation of significant and representative road segments and bridge types around the state as identified in the research in part A. of this Agreement. The Historic Preservation Plan (HPP) will be presented to the FHWA, MSHPO, the ACHP and list of qualified reviewers by September 1, 1991, and 45 days comment period will be

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allowed for discussion and adoption. FHWA will work to resolve disagreement on the proposed HPP. If agreement cannot be reached by December 1, 1991, all FHWA undertakings affecting historic roads and bridges will again become subject to 36 CFR 800 procedures.

The HPP for historic roads and bridges shall be prepared in accordance with the following guidelines:

- a. The essential purpose of the HPP will be to establish processes for integrating the preservation and use of historic roads and bridges with the mission and programs of the FHWA and the MDOH in a manner appropriate to the nature of the historic properties involved, the nature of the roads and bridges in Montana, and the nature of FHWA's mission, to provide safe, durable and economical transportation:
- b. In order to facilitate such integration, the HPP, including all maps and graphics, will be made consistent with the Federal Aid road and bridge numbering systems;
- The HPP will be prepared in consultation with the owners, managers, caretakers, or administrators of historic roads and bridges, including county governments, city governments, federal agencies, and private individuals or corporations, and with interested parties or organizations, including the American Society of Civil Engineers Montana Section, and the Montana Society of Engineers:
- d. The HPP will be prepared with reference to the <u>Secretary of Interior's Standards and Guidelines for Preservation Planning</u> (48 FR 44716-20); and
- e. The HPP will be prepared by or under the supervision of an individual who meets, or individuals who meet, at a minimum, the "professional qualifications standards" for historian and archaeologist in the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9).
- 2. The contents of the HPP will be developed in conjunction with the MSHPO, and will include, but not be limited to, a schedule for the anticipated implementation of the various elements, plus the formulation and presentation of programs to:
 - a. Preserve historic bridges that do not meet safety rating standards by rehabilitation in a manner that would preserve important historic features while meeting as many AASHTO standards as can be reasonably met;
 - b. When a historic bridge must be replaced, give full consideration and demolition savings to reuse of the historic bridge in place by another party.
 - c. When a historic bridge must be replaced and in place preservation is not feasible, give full consideration and

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financial assistance to relocating and rehabilitating the historic bridge as a part of the replacement project;

- d Develop and implement a program to encourage relocation and reuse of bridges of historic age that cannot be preserved in place or used on another location by the state or county;
- Provide a financial incentive by offering demolition savings on all relocation and reuse of bridges of historic age;
- Develop a list of historic roads and bridges that can be preserved. The list should include the variety available to reflect Montana highway construction history, while considering current condition and use. The list should be presented to and discussed with managing units to solicit their cooperation and/or participation in the preparation of the HPP; and
- g. Devise a program to pursue the preservation of the state's representative and outstanding examples of road and bridge technology. A list of historic roads and bridges that shall be preserved will be developed to implement this program, given currently known commitments to do so by property managers and subject to change by obtaining future commitments for other properties covered by this Agreement.
- 3. The HPP will not include information developed in Part A. above, narrative histories, but will be guided by and used in conjunction with Part A. above, and will be distributed to the same parties.
- 4 MDOH will prepare a report annually on its implementation of the HPP, and provide this report to the FHWA, the SHPO, and the ACHP for review, comment, and consultation as needed.

C. Other Legal and Administrative Concerns

- 1. FHWA will continue to inventory, evaluate, seek determinations of eligibility, and fully comply with 36 CFR 800 for all undertakings with the potential to affect historic properties besides roads and bridges which are hereby excluded from such consideration.
- 2. The MSHPO, and the ACHP may monitor FHWA and MDOH activities to carry out this PA, by notifying FHWA in writing of their concerns and requesting such information as necessary to permit either or both MSHPO and ACHP to monitor the compliance with the terms of this Agreement. FHWA will cooperate with the SHPO, and the ACHP in carrying out their monitoring and review responsibilities.
- 3. FHWA will carry out the existing MOA's to preserve or record historic bridges that are now scheduled for replacement.
- If a dispute arises regarding implementation of this PA, FHWA will consult with the objecting party to resolve the dispute. If any will request further comments of the ACHP.

00

Amendment To The Programmatic Agreement Regarding Historic Roads and Bridges In Montana.

We are hereby amending the following stipulations in the Programmatic Agreement.

A. For Public Education

- 1. In the third sentence December 1, 1990 becomes December 1, 1992. In the fourth sentence, May 1, 1991 becomes May 1, 1993.
- 5. December 1, 1991 becomes December 1, 1993.
- B. For Historic Road and Bridge Preservation
 - 1. September 1, 1991 becomes September 1, 1993 and December 1, 1991 becomes December 1, 1993.

: Federal Highway Administration	
- Al Dewo .	DATE 02-27-92
Hank Honeywell, Division Administrator	
By: Montana State Historic Preservation Offic	er
Marcella Sherfy, Montana State Historic Pres	DATE 2 - 27 -97 ervation Officer
Advisory Council On Historic Preservation	
Robert D. Bush, Executive Director	DATE 3-/4-92

Montana Department of Transportation

Edrie Vinson, Environmental and Hazardous Waste Bureau

5. During any resolution of disagreements on the PA, and/or in the event MDOH does not carry out the terms of the PA, FHWA will carry out the procedures outlined in 36 CFR 800 for all undertakings otherwise covered by the agreement.

Execution of this PA evidences that FHWA has afforded the ACHP a reasonable opportunity to comment on FHWA's program to construct and improve Montana highways when those undertakings affect historic roads and bridges, and that FHWA has taken into account the effects of these undertakings on significant historic roads and bridges.

BY: FEDERAL HIGHWAY ADMINISTRATION

Logar K. Scott	5-11-89	
Roger K. Scott	Date	
Divicion Administrator		

BY: MONTANA STATE HISTORIC PRESERVATION OFFICER-

Marcella Sherfy, M	Sheep.	5 - 11 - 89
Marcella Sherfy, M	ISHPO (5)	Date

BY: ADVISORY COUNCIL ON HISTORIC PRESERVATION

Executive Director Date

CONCUR

BY: MONTANA DEPARTMENT OF HIGHWAYS

Stephen Kologi, P.E., Chie Preconstruction Bureau



Montana Historical Society

225 North Roberts & P.O. Box 201201 & Helena, MT 59620-1201 (406) 444-2694
 FAX (406) 444-2696
 www.montanahistoricalsociety.org

July 9, 2004

JEAN A RILEY MDT ENVIRONMENT SERVICES 2701 PROSPECT AVENUE P O BOX 201001 HELENA MT 59620

RECEIVED JUL 1 3 2004 ENVIRONALMINE



Dear Jean,

Thank you for the EIS on the US 2, Havre to Fort Belknap highway project. As you may surmise, since no-build would not impact the cultural resources we are in support of that option. Improved two-lane would be our next choice and so on. We want to thank you for all the consultation on this undertaking which tried all the parties involved. We look forward to mitigation produces if they become unavoidable.

If you have any questions about any points that have made, you may call me at (406) 444-0388, or email jwarhank@state.mt.us.

Sincerely,

Review & Compliance Officer

file: MDT/2004

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Montana Historical Society

225 North Roberts & P.O. Box 201201 & Helena, MT 59620-1201
4 (406) 444-2694 & FAX (406) 444-2696 & www.montanahistoricalsociety.org &

May 24, 2004

RECEIVED

MAY 2 4 2004

Jon Axline, Historian Environmental Services Montana Department of Transportation P.O. Box 201001 Helena, MT 59620-1001

ENVIRONMENTAL

Re: US2 Havre to Fort Belknap: Lohman Historic District (SHPO 2004051712)

Dear Jon:

Thank you for your letter received May 17 with report prepared by Joan Brownell regarding the re-evaluation of a potential National Register Historic District in Lohman in conjunction with the above-cited project. I understand that this is in response to our comments of March 11. As requested I asked staff to prioritize the review of this most recent package to facilitate your consideration of the impacts of this proposed highway project.

Based on review of the information and recommendations contained in the Brownell report and with staff input, I am prepared to concur in the determination that no historic district as currently understood appears to exist in Lohman. At the same time, I agree that several individual buildings in Lohman as identified by Brownell may be eligible for the National Register (pending formal inventory and evaluation).

As you know, this was not an easy evaluation for SHPO staff. Although I believe MDT has made a good faith effort for the purposes of this project in applying traditional evaluation methods to identifying a historic district in Lohman, I also believe that several outstanding questions remain. Specifically, further context development and/or clarification with the Keeper may be warranted in the evaluation of similar small Montana communities where loss and change are integral to a history of living on the economic margin and where rural characteristics may be as important as urban in defining historic districts. For these reasons, I will urge you to consult early and often with SHPO staff in approaching the identification and evaluation of similar small communities in the future and to allow time for possible consultations with the National Register staff.

I thank you for your consideration of our earlier comments and for your continued support for the preservation of Montana's significant historic properties.

Mark R. Baumler, Ph.D.

Singerely,

State Historic Preservation Officer

File: MDT/Havre-Ft Belknap (US Hwy2)

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Montana Department of Transportation

David A. Galt, Director

Judy Martz, Governor

2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001

May 17, 2004

Mark Baumler, Ph.D. State Historic Preservation Office 1410 8th Avenue P O Box 201202 Helena, MT 59620-1202

Subject:

PLH-TCSP 1-6(44)384

US 2 - Havre to Fort Belknap

Control No. 4951

Dear Mark

As you know, we've disagreed about the presence of a potential historic district in the small rural community of Lohman, located on US Highway 2 between Havre and Chinook. The latest round of correspondence concerning it occurred on March 11, 2004 with your comments regarding Ethnoscience's February report regarding the potential district. Because it appeared that we were not going to agree about the presence of the district and our need to proceed with the Section 106 process on this project, we asked David Evans and Associates to send Joan Brownell to Lohman to delineate the boundaries of the potential district. Enclosed is her report regarding Lohman. Based on the significance of this project, we are requesting that you please expedite your review.

Brownell does not believe that a potential historic district exists in Lohman for the reasons specified in her report. The narrative and maps, we believe, conclusively supports her argument. She does believe, however, that four sites within the old Lohman townsite would be individually eligible for the National Register. They are: the Main Tank House, Lohman House, Nemetz Place, and the Nemetz Icehouse. The Main Tank House and the Lohman House are located on the north side of the Burlington Northern-Santa Fe Railroad tracks and are outside the impact area for this project. The roadway would remain on the south side of the tracks. The preliminary plans for the US 2 - Havre to Fort Belknap project indicate that the Nemetz House and the Nemetz Icehouse are also located well outside the impact area for the project. The proposed project would have No Effect to those properties. We request your concurrence that no historic district exists in Lohman, but there are four individually NRHP-eligible sites.

If you have any questions, please contact me at 444-6258.

Jon Axline, Historian

Environmental Services

MASTER FILE

Environmental Services Unit Phone: (406) 444-7228 (406) 444-7245

Web Page: www.mdt.stale.ml.us Road Report: (800) 226-7623 TTY: (800) 335-7592 Jun-08-04 09:54am From-MDT CONSULTANT DESIGN SECTION 4064446253

T-654 P.003/003 F-677

Enclosure

Mick Johnson, Great Falls District Administrator cc:

Tom Martin, P.E., Highway Engineer

Bonnie Steg, Resources Section



Montana Historical Society

225 North Roberts + P.O. Box 201201 + Helena, MT 59620-1201 + (406) 444-2694 + FAX (406) 444-2696 + www.montanahistoricalsociety.org +

April 29, 2004

RECEIVED

APR 3 0 2004

JON AXLINE

MDT

ENVIRONMENTAL

2701 PROSPECT AVENUE PO BOX 201001 HELENA MONTANA 59620 1001

RE: PLH-TCSP 1-6(44) 384, US 2 -Havre to Fort Belknap Control No. 4951

Dear Jon,

We concur with your findings of effect on the listed sites for each of the five alternatives listed. I will be recording all of the sites in our database as effect, unresolved. When MDT makes a decision as to which alternative will be implemented, you will need to get back with us on the question of mitigation. Based on the information, which you have supplied thus far, it is clear that we prefer the alternatives calling for a 2-Lane (improved) or a 2-Lane (passing).

If you have any questions about any points that I have made, you may call me at (406) 444-0388, or email jwarhank@state.mt.us.

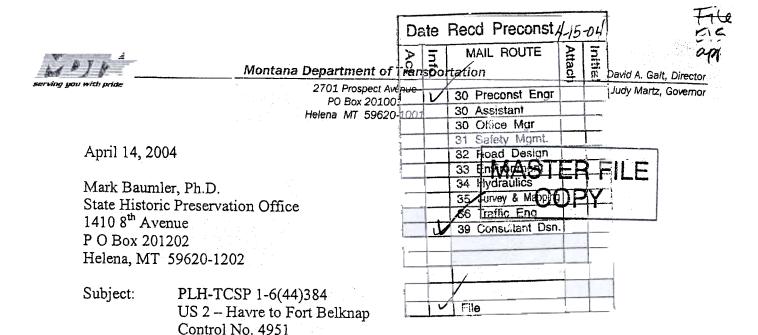
Sincerely,

osef J Warhank

Review & Compliance Officer

file: MDT/2004

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Dear Mark

Enclosed is the Determination of Effect for the above project in Hill and Blaine counties. Because no preferred alternative has yet been chosen for this project, the document assesses impacts to the NRHP-eligible properties under all five proposed alternatives (including the No-Build Alternative). It does not include the potential Lohman Historic District or the individually recorded sites that are located within the Area of Potential Effect. We are in the process of delineating the boundaries of the potential historic district. A Determination of Effect for the potential district will be forwarded to you when it becomes available.

We have determined that the proposed project would have No Effect to 24HL942/24BL1543/24BL1574, 24HL1133, 24BL1146, 24BL838, 24BL1718, 24BL1720, 24BL1722, 24BL1725, 24BL1726, 24BL1728, 24BL1729, and 24BL1730 under all four construction alternatives proposed for this project. There would be No Adverse Effect to 24BL1542 under all the alternatives. There would be an Adverse Effect to 24BL1541 under all four alternatives. For sites 24BL1251 and 24BL1254, there would be No Effect under Alternatives 1 and 2 and an Adverse Effect to them if Alternatives 3 or 4 are chosen as the preferred alternative. There would be a No Effect to 24BL1248 under Alternatives 1 – 3 and an Adverse Effect under Alternative 4. We request your concurrence.

The two NRHP-eligible bridges in the APE, 24BL981 and 24BL1050 will be treated under the terms of the Roads and Bridges Programmatic Agreement.

If you have any questions, please contact me at 444-6258.

Jon Axline, Historian Environmental Services

Enclosure

cc: Mick Johnson, Great Falls District Administrator
Tom Martin, Consultant Design Bureau
Bonnie Steg, Resources Section

Site	(improved)	2-Lane (Passing)	4-Lane Undivided	4-lane Divided
Great Northern RR	No Effect	No Effect	No Effect	The Post of the Po
24HL1133	No Effect	No Effect	No Effect	No Effect
24BL1146	No Effect	No Effect		No Effect
24BL838	No Effect	No Effect	No Effect	No Effect
24BL1248	No Effect	No Effect	No Effect	No Effect
24BL1251	No Effect		No Effect	Adverse Effect
24BL1254	No Effect	No Effect	Adverse Effect	Adverse Effect
24BL1351	No Effect	No Effect	Adverse Effect	Adverse Effect
24BL1541		No Effect	No Effect	No Effect
24BL1542	Adverse Effect	Adverse Effect	Adverse Effect	Adverse Effect
24BL1718	No Adverse Effect	No Adverse Effect	No Adverse Effect	No Adverse Effect
24BL1718	No Effect	No Effect	No Effect	No Effect
	No Effect	No Effect	No Effect	No Effect
24BL1722	No Effect	No Effect	No Effect	No Effect
24BL1725	No Effect	No Effect	No Effect	No Effect
24BL1726	No Effect	No Effect	No Effect	No Effect
24BL1728	No Effect	No Effect	No Effect	No Effect
24BL1729	No Effect	No Effect	No Effect	No Effect
24BL1730	No Effect	No Effect	No Effect	No Effect
24BL981	Adverse Effect - PA			
24BL1050	Adverse Effect - PA	Adverse Effect - PA	Adverse Effect – PA	Adverse Effect - PA

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DETERMINATION OF EFFECT

PLH-TCSP 1-6(44)384 US 2 – Havre to Fort Belknap Control No. 4951

Introduction

The Montana Department of Transportation (MDT) intends to reconstruct 44.9 miles of U.S. Highway 2 in Hill and Blaine counties, Montana. The project begins at Milepost 383.6 at the eastern city limits of Havre in Hill County and proceeds easterly 44.9 miles to the junction of Montana Highway 66 at Milepost 428.5 on the Fort Belknap Indian Reservation in Blaine County. The existing roadway was constructed under 14 projects between 1938 and 1977. Other than routine maintenance and periodic overlays, there have been no significant changes to the roadway since 1977. The existing roadway's driving surface varies between 28 and 47 feet.

The US 2 – Havre to Fort Belknap project would generally follow the existing alignment. Currently there are four alternatives under consideration for this project. They are: an improved two-lane, a two-lane with passing lanes, an undivided four-lane, and a divided four-lane roadway.

The Improved Two-Lane Alternative (Alt. 1) would consist of two 12-foot driving lanes and two 8-foot shoulders with a total paved width of 40-feet. Left-turn lanes would be added at some sections of the rural sections, which would increase the total width to 52-feet in those sections. Two-way left-turn lanes would extend 1.5 miles from Havre's eastern city limits eastward. In Chinook, the would roadway would remain within the existing curb lines and would accommodate two driving lanes, two shoulder/parking lanes and a turn lane at the intersection of Indiana Street. In Harlem, right and left turn lanes would be provided for roads and business access in the community.

The Improved Two-Lane with Passing Lanes Alternative (Alt. 2) would involve the same typical sections described in the above paragraph. It would, however, provide intermittent 12-foot passing lanes in the rural sections. In Chinook, the roadway would still remain within the existing curb lines, but would provide a center two-way, left-turn lane through the community and a shoulder/parking lane in designated areas.

The Four-Lane Undivided Alternative (Alt. 3) would consist of four 12-foot driving lanes and two 8-foot shoulders a total paved width of 64-feet. There would be no median dividing the opposing driving lanes and left-turn lanes would be added at some locations. East of Havre, the 4-lane roadway with a center two-way left-turn lane would be extended 1.5 miles beyond the city limits. In Chinook, the roadway would be widened from its existing footprint and would consist of four driving lanes and two shoulder/parking lanes.

The Four-Lane Divided Alternative (Alt. 4) would consist of four 12-foot driving lanes and two 8-foot shoulder divided by a 28-foot landscaped median with 4-foot inside shoulders for a total

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width of 100-feet. In Chinook, the roadway would be widened and shifted to the south by 75-feet to provide increased distance between the railroad at the Indiana Street intersection.

Additional Right-of-Way (R/W) would be required under all alternatives considered.

No preferred alternative has yet been selected; consequently, this document will consider impacts to cultural resources under all four alternatives.

Significant Cultural Resources

Several cultural resource surveys of the project area were conducted between 1997 and 2004. The MDT and the Montana State Historic Preservation Office (SHPO) concurred in the National Register of Historic Places (NRHP) eligibility of twenty historic sites. They are: the Great Northern Railway (24HL942/24BL1543/24BL1574), Sunset Drive-In (24HL1133), Harlem-Snake Butte Railroad (24BL838), Lodge Creek Bridge (24BL981/1050), Battle Creek Bridge (24BL1146), Bear Paw Court Motel (24BL1248), Jamieson Motors (24BL1251), Pehrson's Exxon (24BL1254), Harlem Canal (24BL1351), Vincent Pefaur Homestead (24BL1541), Kulbeck Farmstead (24BL1542), East Chinook School (24BL1718), Bunkhouse (24BL1720), Chinook Depot (24BL1722), Zurich Grain Elevator Complex (24BL1725), Archer Farmstead (24BL1726), Chinook Grain Elevator Complex (24BL1728), Bitzer and O'Hanlon Farmstead (24BL1730), GTA Feed Mill Grain Elevator Complex (24BL1729), Fifteen Mile Creek Bridge (24BL1731), and the Sunset Theater Drive-In (24HL1133).

The Great Northern Railway was constructed through the project area in 1887. Now called the Burlington Northern-Santa Fe Railroad, it had an extremely significant impact on the agricultural, commercial and industrial development of Montana's Hi-Line. The active railroad is eligible for the National Register under Criterion A.

Built in 1948, the Sunset Drive-In is one of only a few drive-in movie theaters that still exists in Montana. It is eligible for the NRHP under Criteria A and C because of its significance to the history of the Havre area in the mid to late 20th century and because nearly all of its original architectural features are still intact.

The Harlem-Snake Butte Railroad was constructed as a spur line to the Great Northern Railway in 1936-1937. It carried rock from the Snake Butte area to the Fort Peck Dam, the largest earthfill dam at the time. The site is eligible for the NRHP under Criterion A.

Built in 1942, the Lodge Creek Bridge is a reinforced concrete T-Beam bridge. It retains all of its original structural features and is eligible for the NRHP under Criterion C.

The Battle Creek Bridge was constructed in 1915 and is a good example of a pin-connected Pratt through truss structure. It is eligible for the National Register under Criterion C.

The Bear Paw Court Motel was constructed in 1951 and is an excellent example of a 1950s era roadside motel. The structures retain their original features and the original neon sign is still intact. The property is eligible for the NRHP under Criteria A and C.

Built in 1910, Jamieson Motors us an excellent architectural example of an early 20th century automotive-related building. It is virtually unaltered and still retains two 1930s era neon signs. It is eligible for the National Register under Criterion C.

Pehrson's Exxon was constructed in 1951 and is an excellent example of a 1950s era roadside gas station. It is eligible for the NRHP under Criterion C.

The Harlem Canal was constructed in 1903 and played a significant role in the settlement and agricultural development of Blaine County. Originally a part of the Milk River Project, it is eligible for the NRHP under Criterion A.

Vincent Pefaur Homestead consists of nine agricultural-related buildings dating from 1920 to 1952. Because it is associated with agriculture in Blaine County and because the buildings maintain a high degree of architectural integrity, it is eligible for the National Register under Criteria A and C.

The Kulbeck Farmstead contains a barn and milk house that are associated with the early agricultural development of the area and which both retain considerable integrity. The two features are eligible for the NRHP under Criteria A and C.

Built in 1900, the East Chinook School was the first school built in Chinook. It operated until 1972, when it closed its doors. Because of the school's association with the social history of Chinook and its architectural integrity, it is eligible for the NRHP under Criteria A and C.

The Bunkhouse is representative of early 20th century migrant workers accommodations. Built sometime between 1934 and 1940, it is eligible for the National Register.

The Chinook Depot was constructed sometime between 1948 and 1954. It is likely eligible for the National Register.

Zurich Grain Elevator Complex consists of five features, including two grain elevators, an office, grain bin, and outhouse. It was developed between 1915 and 1975. It is eligible for the NRHP under Criteria A and C because of its association with the agricultural development of the area and because the historic-age buildings within the complex retain a high degree of architectural integrity.

The Archer or Burns Farmstead was established in 1910. It currently consists of 18 features, of which the barn is the only eligible feature on the property. It is eligible under Criterion C because it is a representative example of an early 20th century barn. It is also a well-known local landmark.

Developed between 1952 and 1978, the Chinook Grain Elevator Complex consists of six features, including three grain bins, a grain elevator annex, grain elevator, drive house, and office. Because of its association with the post-war agricultural boom in northern Montana and the its excellent architectural integrity, it is eligible for the NRHP under Criteria A and C.

The Bitzer and O'Hanlon Farmstead was established in 1894 and contains ten features, the latest of which dates to 1977. It is associated with the early agricultural development of the Chinook area and is likely eligible for the NRHP.

The GTA Feed Mill Grain Elevator Complex was established in 1947 and contains five buildings associated with the operation of the site from 1947 to 1954. They include a warehouse/office, feed mill, drive house, grain elevator, grain elevator annex. It is eligible for the National Register under Criteria A and C.

Built in 1949, the Fifteen Mile Creek Bridge is a 2-span continuous steel stringer bridge with a concrete deck and piers. It is a good representative example of the type and is eligible for the Register under Criterion C.

Project Impact

Aerial photographs with the proposed roadway, R/W, construction limits under all four alternatives have been completed for the US 2 - Havre - Fort Belknap project and are attached (Figures 1-31).

The proposed US 2 - Havre to Fort Belknap project alignment would be shifted to maintain a specified distance from the Great Northern Railway (as determined by an existing agreement between the MDT and the Burlington Northern - Santa Fe Railroad. Consequently, there would be no encroachment on the site by the proposed roadway, no acquisition of new R/W, and no intrusion of construction activities on the railroad's R/W. The existing railroad alignment would be perpetuated and no railroad-related structures removed or relocated. There would be no change in the function of the property as a result of the project.

At the Sunset Theatre Drive-In (24HL1133) under Alternates 2 - 4, approximately 0.02 acres of new R/W would be required to accommodate the wider roadway. The existing alignment would be perpetuated and the roadway widened on both sides of the centerline. The Alternatives would not significantly encroach on the property and none of the existing buildings would be relocated or replaced. The existing configuration of the buildings would be maintained and not changed by the proposed project. Under Alternative 1 (Improved Two-Lane), no new R/W would be acquired from the NRHP-eligible property. The existing access to the drive-in theatre would be perpetuated and remain unchanged (Figures 1 - 4).

The Battle Creek Bridge (24BL1146) is located outside the project's impact area on the north side of the Great Northern Railway (24BL1543/24BL1574). No construction activities are planned for the north side of the tracks. There would be no impact to the bridge and it will not be discussed further in this document (Figure 5).

At the Harlem - Snake Butte Railroad crossing (24BL838), the existing railroad alignment would be perpetuated, but the roadway would be widened to accommodate the wider two and four lane roadway. The railroad alignment itself would not be modified to accommodate the roadway. The roadway would be widened from the existing 39-feet where the railroad crosses U.S. Highway 2 to a maximum of 100-feet under Alternative 4. About 0.12 to 0.17 acres of new R/W would be required where the railroad spur line crosses U.S. Highway 2 (Figures 6-9).

The Bear Paw Court Motel (24BL1248) is located within the Chinook city limits. Under Alternatives 1-3, the site is outside of the existing and proposed R/W for the project. It is also located outside the construction limits and there would be no impact to the access to the site or its functions. Under Alternative 4, however, the wider roadway and required additional R/W would impact the site by requiring the removal of the neon advertising sign at the front of the property. There would be no encroachment on the buildings of the motel complex under this alternative (Figures 10-13).

Jamieson Motors (24BL1251) is located outside the proposed R/W boundaries and outside the proposed construction limits of Alternatives 1 and 2 of the US 2 – Havre to Fort Belknap project. There would be no impact to the access to the site and no encroachment on the property's features. The function of the building would also remain unchanged. Under Alternatives 3 and 4, however, the building would be impacted by the widening of the roadway to a four-lane in addition to the construction of sidewalks. It would fall well within the construction zone of both the Alternatives (Figures 10-13).

Pehrson's Exxon (24BL1254) is located outside the proposed R/W boundaries and outside the proposed construction limits of Alternatives 1 and 2 of the US 2 — Havre to Fort Belknap project. There would be no impact to the access to the site and no encroachment on the property's features. The function of the building would also remain unchanged. Under Alternatives 3 and 4, however, the building would be impacted by the widening of the roadway to a four-lane in addition to the construction of sidewalks. It would fall well within the construction zone of both the Alternatives (Figures 10 – 13).

At the Harlem Canal (24BL1351), the existing box culvert would be replaced with a new structure to accommodate a wider roadway. There would be no change in the width or alignment of the canal. It would still function in its historic capacity (Figures 6-9).

At the Vincent Pefaur Farmstead (24BL1541), proposed widening under all four alternatives would result in an impact to six of the site's nine features. Impacted would be a residence (F-1), two migrant worker buildings (F's 4 and 7), two other buildings (F's 5 and 6), and a Quonset-type barn (F-8). The roadway cannot be shifted to the north and away from the site because of the presence of the Great Northern Railway (24BL1542/24BL1574) and the agreement the MDT has with the BNSF to maintain a specific distance from the railroad's centerline (Figures 14 – 17).

At the Knute and Ardele Kulbeck Farmstead (24BL1542) about 0.61 acres of new R/W would be required to accommodate the wider roadway under Alternatives 1 and 2. Under Alternatives 3 and 4, 0.71 and 0.79 acres of additional R/W would be required from the site. No buildings are located within the area needed for R/W and there would not be any impact to any of them as a result of the project (Figures 18-21).

The East Chinook School (24BL1718) is located north of the Great Northern Railway (24BL1542/24BL1574) tracks and is, consequently located outside the impact area for this

proposed project. None of the proposed alternatives would cross the existing railroad tracks to the north. The East Chinook School will not be considered further in this document (Figure 22).

The Bunkhouse (24BL1720) is located well outside the proposed R/W boundaries for this project. The construction limits are also located a significant distance from the site. There would be no impact to it as a result of the project (Figures 23 - 26).

The Chinook Depot is located outside the impact area for this project. It is situated between the Great Northern/BNSF Railroad main line and a spur. There are no plans to relocate any section of active railroad line for this project. There would be no impact to the site and it will not be discussed further in this document (Figures 10 - 13).

The GTA Zurich Grain Elevator Complex (24BL1725) is located outside the proposed R/W boundary for all four alternatives. It is also located outside the construction limits for the project. There would be no encroachment on the site and the centerline in its proximity would be perpetuated. The site's proximity adjacent to the Great Northern Railroad Main Line (24BL1542/24BL1574) would also serve to protect the site as the MDT is legally required to keep the roadway a specific distance from the railroad (Figures 27 – 30).

The Barn (F-2) at the Archer or Burns Farmstead (24BL1726) is also located well outside the R/W boundary and construction limits under all four alternatives proposed for this project. The centerline would be shifted to the south and closer to the site, but it is still outside the impact area. There would be no R/W acquired from the property and the alternatives would not encroach on the barn (Figures 27 - 30).

The Chinook Grain Elevator Complex (24BL1728) is located within the existing MDT R/W adjacent to the Great Northern Railroad (24BL1542/24BL1574). The project has been designed to allow the historic site to continue its historic function with the development of all four alternatives. The construction limits in Chinook have been pulled in to avoid any impacts to the site. Its existing function as a grain elevator would be perpetuated as would the historic access to it. The roadway and fill slopes would not encroach on any of the buildings associated with the property (Figures 10-13).

The Chinook GTA Feed Mill Grain Elevator Complex (24BL1729) is located within the existing MDT R/W adjacent to the Great Northern Railroad (24BL1542/24BL1574). The project has been designed to allow the historic site to continue its historic function with the development of all four alternatives. The construction limits in Chinook have been pulled in to avoid any impacts to the site. Its existing function as a grain elevator would be perpetuated as would the historic access to it. The roadway and fill slopes would not encroach on any of the buildings associated with the property (Figures 10-13).

The Bitzer and O'Hanlon Farmstead (24BL1730) is located on the north side of the Great Northern Railroad (24BL1542/24BL1574) and is located outside the impact area for this proposed project. The project through this area would be confined to the south side of the railroad tracks with no construction activities north of the line. The Bitzer and O'Hanlon Farmstead will not be discussed further in this document (Figure 31).

Two bridges (24BL981 and 24BL1050) are located on U.S. Highway 2 within the project area. Both structures are narrow and do not meet the standards set for the proposed reconstruction project. Both bridges would be replaced under all four alternatives. The bridges will be treated under the provisions of the Historic Roads and Bridges Programmatic Agreement and will not be discussed further in this document.

Project Effect

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There would be No Effect to the NRHP-eligible Great Northern Railroad (24HL942/24BL1542/24BL1574) as a result of the proposed project. Per agreement, the MDT would maintain a specified distance away from the railroad's alignment. Consequently, there would be no encroachment on the existing railroad R/W, change in the alignment, or encroachment on the property that would result in the relocation or removal of railroad-related features. The function of the railroad would continue unchanged and there would be no diminution of the qualities that make the site eligible for the National Register.

There would be No Effect to the NRHP-eligible Sunset Drive-In Theatre (24HL1133) under all the proposed alternatives for this project. Only a minimal amount of new R/W would be required to accommodate the wider roadway. The existing access to the site would be perpetuated and none of the existing buildings and structures associated with the complex would be relocated or removed as a result of the project. The characteristics that make the site eligible for the National Register would remain intact and not be diminished by the project. The existing layout of the site would be perpetuated. The setting would not be significantly altered as the area has been heavily developed by commercial enterprises within the last 25 years.

There would be No Effect to the Harlem – Snake Butte Railroad (24BL838). The work would be limited to where the highway crosses the railroad grade. The existing railroad alignment would remain intact and unchanged. There would be no significant change in the rural setting of the site. The proposed widening would constitute 0.13% of the overall length of the railroad spur line. There would be no diminishment of the qualities that make the site eligible for the National Register and its significance to the history of the area would be perpetuated. There would be no change in the setting of the property.

There would be No Effect to the Bear Paw Court Motel (24BL1248) as a result of Alternatives 1-3 of the project. The site is located outside the proposed R/W boundaries and would not be impacted by any construction activities. The existing access to the site would be perpetuated and none of the buildings or features on the site would be removed or impacted by proposed construction activities. The site's historic function and presentation both to and from the road would be perpetuated. There would be no diminishment of the characteristics that make the site eligible for the National Register of Historic Places. Under Alternative 4, however, the contributing neon advertising sign adjacent to the roadway would be removed as a result of the project. It would be located within the proposed R/W boundary and be impacted by construction activities. Alternative 4, therefore, would cause an Adverse Effect to the NRHP-eligible Bear Paw Court Motel. Mitigation measures for the site if Alternative 4 is selected as the preferred alternative are outlined below.

The proposed project would have No Effect to Jamieson Motors (24BL1251) under Alternatives 1 and 2. The building would remain outside the proposed R/W boundary and the construction limits would not encroach on the property. The existing two-lane roadway and centerline would be perpetuated. There would be no change in the setting of the site, nor would its appearance or other characteristics that make it eligible for the NRHP be altered or significantly changed. Alternatives 3 and 4, however, would have an Adverse Effect on the property and result in its demolition. The significantly wider roadway and accompanying sidewalks and curb would encroach significantly enough on the site to result in its removal from the property. The roadway through Chinook is restricted by the presence of the Great Northern Railway Main Line on the north side of the highway. By agreement, the MDT cannot move closer to the railroad. The NRHP-eligible GTA Feed Mill Grain Elevator Complex (24BL1729) is located adjacent to the railroad tracks across from Jamieson Motors. Shifting the alignment to the north closer to the grain elevators and the railroad is not possible. The constricted nature of the project area makes the modification of the alignment difficult to narrow or shift. Consequently, the removal of Jamieson Motors would occur if either Alternatives 3 and 4 are chosen as the preferred alternative for this project. Mitigation measures for the building are outlined below.

The proposed project would have No Effect to Pehrson's Exxon (24BL1254) under Alternatives 1 and 2. The building would remain outside the proposed R/W boundary and the construction limits would not encroach on the property. The existing two-lane roadway and centerline would be perpetuated. There would be no change in the setting of the site, nor would its appearance or other characteristics that make it eligible for the NRHP be altered or significantly changed. Alternatives 3 and 4, however, would have an Adverse Effect on the property and result in its demolition. The significantly wider roadway and accompanying sidewalks and curb would encroach significantly enough on the site to result in its removal from the property. The roadway through Chinook is restricted by the presence of the Great Northern Railway Main Line on the north side of the highway. By agreement, the MDT cannot move closer to the railroad. Shifting the alignment to the north closer to the railroad is not possible. The constricted nature of the project area makes the modification of the alignment difficult to narrow or shift. Consequently, the removal of Pehrson's Exxon would occur if either Alternatives 3 and 4 are chosen as the preferred alternative for this project. Mitigation measures for the building are outlined below.

There would be No Effect to the Harlem Canal (24BL1351) as a result of the proposed reconstruction project. The box culvert where the canal passes under U.S. Highway 2 would be replaced with a new structure to accommodate the wider roadway. There would be no rechanneling and no change in the width or alignment of the structure. The canal's existing alignment would be perpetuated as would its existing and historic function as an irrigation facility. The setting of the property would also remain intact.

There would be an Adverse Effect to the Vincent Pefaur Farmstead (24BL1541) under all four proposed alternatives. Because of roadway reconstruction and widening, Features 1 and 4-8 would be significantly impacted by the proposed project. The impact would likely result in the removal or relocation of the buildings. This would constitute an effect to the historic significance, integrity and setting of the property. The centerline cannot be shifted to the north and away from the site because of the close proximity of the Great Northern Railway (24BL1542/24BL1574) and the MDT's agreement with the BNSF to maintain a specific distance

from the railroad's centerline. The MDT's proposed mitigation measures for the property are outlined below.

There would be No Adverse Effect to the Knute and Ardele Kulbeck Farmstead (24BL1542) under all four proposed alternatives for this project. Additional R/W would be required that would significantly encroach on the site boundaries. Although no buildings would be directly impacted, there would be a change in the setting of the property because of the roadway reconstruction and a minor diminishment of the site's integrity. The buildings would remain adjacent to U.S. Highway 2, but the roadway would be closer to them. The project would not cause an adverse effect to the site.

There would be No Effect to the Bunkhouse (24BL1720). The site is located well outside the proposed R/W limits for all four alternatives. The construction limits do not come close to the property either. The setting of it would remain intact and the characteristics that make it eligible for the NRHP perpetuated. It would retain its existing presentation to and from the roadway.

There would be No Effect to the NRHP-eligible GTA Zurich Grain Elevator Complex (24BL1725) under all the alternatives. The site is located outside the proposed R/W boundaries and construction activities would not encroach onto the property boundaries. The existing centerline of the roadway would be perpetuated with the roadway located no closer to the railroad than absolutely necessary. There would be no diminution of the characteristics that make the site eligible for the NRHP and none of the other criteria for Adverse Effect apply to this property and the proposed project. Its historic function would be perpetuated and no buildings or features associated with the complex would be removed or relocated. The setting of the site would also remain intact.

There would be No Effect to the Barn (F-2) at the Archer or Burns Farmstead (24BL1726) under all four alternatives for this reconstruction project. The R/W and construction limits are located well away from the barn and would not encroach on the structure. The qualities that make the barn eligible for the NRHP would remain intact and unchanged as would the setting of the property and its function. Its presentation to and from the roadway would also be perpetuated. None of the impacts that would constitute and adverse effect to this property are present under any alternative proposed for this project.

There would be No Effect to the NRHP-eligible Chinook Grain Elevator Complex (24BL1728). The site is already located within the existing MDT R/W adjacent to the Great Northern Railroad Main Line. Preliminary plans have been developed that avoid impacts to the site and allow it to continue in its historic function as a grain elevator. There would be no significant change in the setting of the property, function or its appearance. The characteristics that make the site significant to the history of the area, including its integrity, would not be altered in any way by the project.

There would be No Effect to the NRHP-eligible Chinook GTA Grain Elevator Complex (24BL1729). The site is already located within the existing MDT R/W adjacent to the Great Northern Railroad Main Line. Preliminary plans have been developed that avoid impacts to the site and allow it to continue in its historic function as a grain elevator. There would be no

significant change in the setting of the property, function or its appearance. The characteristics that make the site significant to the history of the area, including its integrity, would not be altered in any way by the project.

Alternatives

Four alternatives are currently under consideration for this proposed project. No preferred alternative has yet been selected. Each alternative is described above in the Introduction. The No-Build Alternative was considered for this project, but discounted because it does not meet the purpose and need of the project.

Mitigation

The proposed US 2 – Havre to Fort Belknap project would have an adverse effect to six NRHP-eligible properties. It would have an adverse effect to the Bear Paw Court Motel (24BL1248) only under Alternative 4 (Divided Four-Lane). An adverse effect would occur to Jamieson Motors (24BL1251) and Pehrson's Exxon (24BL1254) if either Alternative 3 (Undivided Four-Lane) or 4 (Divided Four-Lane) is chosen as the preferred alternative. The Pefaur Farmstead (24BL1541) would be adversely effected if any of the four alternatives are chosen. Finally, two bridges, 24BL981 and 24BL1050, would also be adversely effected under all four alternatives since they would not meet the standards of the proposed roadway.

The MDT will consult with the National Park Service to determine what level of Historic American Building Survey (HABS)-level recordation of 24BL1251, 24BL1254, and 24BL1541 is appropriate for these three sites. The completed documents will be submitted to the National Park Service with copies provided to the local historical society and the Montana State Historic Preservation Office. The information will also be provided to the Havre Daily News and the Chinook Journal News-Opinion, for possible inclusion in those publications as feature articles.

The extent of the adverse effect to the Bear Paw Court Motel (24BL1248) is the removal of the neon sign advertising the business. The MDT will relocate the sign to a new location on the property where it will continue to function as an advertising medium. Prior to the relocation, however, the MDT will photo-document with color and large-format black and white photographs the motel complex. The color photographs will include the neon sign while it lighted.

The MDT will treat the replacement of the two bridges under the terms of the Roads and Bridges Programmatic Agreement. This would include putting both bridges up for adoption and conducting Historic American Engineering Record-level recordation of them. The completed documents would be submitted to the National Park Service, Montana SHPO, local historical society, and Montana State University-Bozeman.

Montana Department of Transportation

200%

MOT David A. Galt, Director

JUSTER

2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001 Judy Martz, Governo DITCH 248416

March 19, 2004

6 2004 ENVIRONMENTAL

Cultural Resources

Mark Baumler, Ph.D. State Historic Preservation Office 1410 8th Avenue P O Box 201202 Helena, MT 59620-1202

Subject:

PLH-TCSP 1-6(44)384 US 2 - Havre to Fort Belknap

Control No. 4951

CONCUR MONTANA SHPO

2301

Dear Mark:

Enclosed is an addendum to the site form for the Matheson Ditch (24BL1535) in Blaine County. Based on the available information, we have determined that the Matheson Ditch is not eligible for the National Register of Historic Places. We request your concurrence.

If you have any questions, please contact me at 444-6258.

Jon Axline, Historian **Environmental Services**

Enclosures

cc: Mick Johnson, Great Falls District Administrator Tom Martin, Consultant Design Bureau Bonnie Steg, Resources Section

file: MDT/2004

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Montana Historical Society

225 North Roberts + P.O. Box 201201 + Helena, MT 59620-1201 + (406) 444-2694 + FAX (406) 444-2696 + www.montanahistoricalsociety.org +

March 11, 2004

JON AXLINE MDT 2701 PROSPECT AVENUE PO BOX 201001 HELENA MONTANA 59620 1001 RECEIVED

MAR 1 5 2004

REVERSEEE

RE: PLH-TCSP 1-6(44) 384 US 2 - Havre to Fort Belknap Control No. 4951

Dear Jon,

Thank you for the report prepared by Ethnoscience entitled "A National Register District Eligibility Evaluation of Lohman, Montana". Despite the additional information and discussion it provides, we continue to disagree with your assessment of a lack of a historic district at Lohman. First, the cover letter implies that the consultant was hired to find evidence of no district, rather than to evaluate the property without prejudice.

Page 9 of the report discusses the deterioration of the surviving historic buildings, and implies that their dilapidated condition results in diminished integrity. As we know, condition and integrity are not the same thing - and the author presented no evidence that the surviving buildings lack sufficient integrity to convey their significance. Indeed, from the photographs it appears that a majority of the buildings retain a very HIGH degree of integrity.

Two thirds of the buildings and structures in Lohman date to the historic period. And depending how boundaries are drawn, a historic district could indeed include only those buildings that date to the historic period.

An evaluation of significance must acknowledge that properties change through time, and the loss of buildings from the first period of development - the railroad phase - tells us a great deal about how the place changed through time. We are not evaluating what was there, but what is there now, and can those buildings and structures, as a whole serve to convey the history of the place.

We do not agree that only the water tower retains integrity. The barn, even in its deteriorated condition, appears to retain a high degree of integrity. The German building certainly would contribute to a district, and is a fine local example (if the only local example) of western commercial architecture. The only change to the Lohman

RE: PLH-TCSP 1-6(44) 384 US 2 - Havre to Fort Belknap Control No. 4951 March 11, 2004

residence appears to be the replacement of the triple double-hung windows at the southeast corner of the house with a single picture window. The foundation is new, but does not interfere with the integrity of design, workmanship, materials, setting, feeling, or association. There was not a good enough photo of the Nemetz farmhouse to tell whether it retains integrity. From the rear view (Photo 2), however, it appears that there is a new roof, but the overall integrity, would be sufficient for it to contribute to a potential district. I agree that the school building no longer retains integrity sufficient to convey its associations.

The granary pictured in photo #22 is in excellent condition, and remains unchanged from the historic period. While suffering from vandalism and neglect, the motel, cabins and tavern all appear much the same as they did during the second phase of development in Lohman, and define the period when the town largely served as a highway stop. Indeed the transition from railroad stop to highway stop is interesting, as the town has been tied to changes in transportation since its inception. In sum, SHPO continues to believe that a small eligible historic district exists in Lohman.

The form, design, workmanship and materials of the building highlighted in the report are certainly sufficient to convey their associations in architectural form and style. While the condition of some of the buildings is poor, they retain sufficient integrity in our mind to be eligible under Criterion A & B.

A few excepts from Bulletin 15 may help here:

DEFINING THE ESSENTIAL PHYSICAL FEATURES

All properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both why a property is significant (Applicable Criteria and Areas of Significance) and when it was significant (Periods of Significance). They are the features without which a property can no longer be identified as, for instance, a late 19th century dairy barn or an early 20th century commercial district.

Criteria A and B

A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s). If the property is a site (such as a treaty site) where there are no material cultural remains, the setting must be intact. ... [We are not going to discuss criteria C and D because we do not think that they apply.]

RE: PLH-TCSP 1-6(44) 384 US 2 - Havre to Fort Belknap Control No. 4951 March 11, 2004

Finally, regarding the authors conclusions, the local people interviewed can speak to what this district means to them and thus argue for its significance, but the interviewees are not experienced in evaluating a property for the National Register, and therefore not qualified to comment on the district's eligibility. The author also fails to acknowledge that the removal of the buildings dates to the historic period, and therefore their loss, although acknowledged, contributes to our understanding of how the town developed through time.

Again, thank you for this additional report. It does not change but rather reinforces my belief that the town is significant for its association with the development of transportation corridors and local commercial development, and for its association with Andrew Lohman as a significant local person.

If you have any questions about any points that I have made, you may call me at (406) 444-0388, or email jwarhank@state.mt.us.

Sincerely,

Josef J Warhank

Review & Compliance Officer

file: MDT/2004

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MASTER FILE

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Montana Department of Transportation

2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001 David A. Galt, Director

Judy Martz, Governor

Taxab to consultant 2/23/01

Deb mandy Colleen EIS File

February 18, 2004

Mark Baumler, Ph.D.
State Historic Preservation Office ———
1410 8th Avenue
P O Box 201202
Helena, MT 59620-1202

Subject:

PLH-TCSP 1-6(44)384

US 2 - Havre to Fort Belknap

Control No. 4951

Dear Mark:

On February 28, 2003 you suggested that a rural/urban historic district may exist at Lohman in Blaine County. We disagreed with that assessment and asked the cultural resource consultant, Ethnoscience, to revisit the site and prepare an argument against the presence of the historic district based on the existing buildings and structures in comparison with what was historically located there. Ethnoscience was also able to visit with some long-time residents of Lohman about the community and their views about its historic significance. Based on this excellent report, we continue to maintain that there is no potential historic district at Lohman. We also maintain that the Terbovitz Homesite (24BL1120), Midway Tavern (24BL1258), Modern Cabins & Grocery (24BL1259), and the Hawley Place (24BL1121) are not individually eligible for the National Register of Historic Places. We request your concurrence.

If you have any questions, please contact me at 444-6258

Jon Axline, Historian Environmental Services

Enclosures

CC

Mick Johnson, Great Falls District Administrator Tom Martin, Consultant Design Bureau Bonnie Stog, Resources Section

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Montana Department of Transportation

David A. Galt, Director Judy Martz, Governor

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2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001

December 31, 2003

PECEIVED TO THE JAN 15 2004 JAN 01 2014

ENVIRONMENTAL

Mark Baumler, Ph.D. State Historic Preservation Office

1410 8th Avenue P O Box 201202 Helena, MT 59620-1202

Subject:

PLH-TCSP 1-6(44)384

US 2 - Havre to Fort Belknap EIS

Control No. 4951

Josef

US 2- Havre to Fort Belknap EIS

Dear Mark:

Enclosed is the cultural resource addendum, site forms, and CRABS for three sites located within or near the APE of the above project in Blaine County. Ethnoscience conducted subsurface testing of 24BL1712, 24BL1575, and 24BL1576 and recommended the three sites ineligible for the National Register of Historic Places for the reasons specified in the report. Access was not available to conduct testing at 24BL1713. Based on the information obtained from other sources, however, Ethnoscience recommends that site ineligible for the National Register as well. We agree with Ethnoscience's recommendations and request your concurrence.

If you have any questions, please contact me at 444-6258

Environmental Services

CONCUR MONTANA SHP

Enclosures

Mick Johnson, Great Falls District Administrator CC:

Carl Peil, P.E., Preconstruction Bureau

Bonnie Steg, Resources Section

F.10 MDT/2004

Environmental Services Unit Phone: (406) 444-7228 (406) 444-7245

Web Page: www.mdf.state.mf.us Rusu Report (500) 225-7623 177: (500) 335-7597

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Montana Department of Transportation

David A. Galt, Director

Judy Martz, Governor

2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001



MOT US. 2- Haure to Fort Belknap

November 20, 2003

Mark Baumler, Ph.D. State Historic Preservation Office 1410 8th Avenue P O Box 201202 Helena, MT 59620-1202

Subject:

PLH-TCSP 1-6(44)384

US 2 – Havre to Fort Belknap

Control No. 4951

CONCUR MONTANA SHPO

Dear Mark:

On November 18th, a semi-tractor towing a bulldozer struck one of the endposts of the National Register-eligible Milk River Bridge (24BL1734) on US Highway 2 about 12 miles east of Havre. The collision severed the critical structural component causing one of the spans to collapse. The collapse of the span has closed down a busy section of US 2 between Havre and Chinook. The damaged span can not be repaired and would be replaced. Attached are photographs of the damaged structure.

Because the integrity of the bridge has been significantly damaged because of the collision and is now only half intact, we have determined that the bridge is no longer eligible for the National Register of Historic Places. We request your concurrence. The bridge has been well documented in the 2003 cultural resource report and in photographs taken of the damage caused to it by the collision.

If you have any questions, please contact me at 444-6258

Joh Axline, Historian Environmental Services

cc:

Mick Johnson, Great Falls District Administrator Jean Riley, P.E., Engineering Section Bonnie Steg, Resources Section

file MOT/2003

Environmental Services Unit Phone: (406) 444-7228 Fax: (406) 444-7245

Web Page: www.mdl.state.ml.us Road Report: (800) 226-7623 TTY: (800) 335-7592

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Montana Historical Society

225 North Roberts + P.O. Box 201201 + Helena, MT 59620-1201 + (406) 444-2694 + FAX (406) 444-2696 + www.montanahistoricalsociety.org +

September 26, 2003

PO BOX 201001

RECEIVED

JON AXLINE MDT 2701 PROSPECT AVENUE

HELENA MONTANA 59620 1001

SEP 3 0 2003

ENVIRORMENTAL

RE: PLH-TCSP 1-6(44) 384, US 2 - Havre to Fort Belknap, Control No. 4951

Dear Jon.

Thank you for your response on this subject dated September 10, 2003. I see that I made a mistake on site 24BL1540 (Madras School). It is clearly not eligible. We continue to have some question about the other sites, which you mentioned in your letter. I look forward to meeting with you on October 30, 2003 at these sites to help clear up some of these questions. If the meeting date should change, please let me know.

If you have any questions about any points that I have made, you may call me at (406) 444-0388, or email jwarhank@state.mt.us.

Sincerely,

Josef J Warhánk

/ Review & Compliance Officer

file: MDT/2003

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Montana Department of Transportation

David A. Galt, Director

Judy Martz, Governor

2701 Prospect Avenue PO Box 201001 Helena MT 59620-1001

September 10, 2003

MASTER FILE COPY

Mark Baumler, Ph.D.
State Historic Preservation Office 1410 8th Avenue
P O Box 201202
Helena, MT 59620-1202

Subject

PLH-TCSP 1-6(44)384

US 2 - Havre to Fort Belknap

Control No. 4951

Attached is a letter from Blain Fandrich at Ethnoscience addressing your February 28, 2003 comments regarding historic properties on the above project. Based on Blain's comments, we continue to maintain that the Madras School (24BL140), East Chinook School (24BL1718), Bunkhouse (24BL1720), Chinook Depot (24BL1722), and farmstead (24BL1730) are not eligible for the National Register based on the reasons specified in the attached letter. Moreover, both 428 Indiana Street and 200 New York Street were not mentioned in the cultural resource report because they are not located in the proposed impact area of the project. If that situation changes, they will be evaluated and effects to them assessed. Finally, we do not agree that there is a Lohman rural/urban historic district, again, for the reasons specified in the letter. We request your concurrence.

We are currently developing a testing strategy for sites 24BL1712 and 24BL1713

If you have any questions, please contact me at 444-6258.

on Axline, Historian
Environmental Services

cc: Mick Johnson, Great Falls District Administrator Carl Peil, P.E., Preconstruction Bureau Bonnie Steg, Resources Section

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com



Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

August 27, 2003

Jon Axline
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620

Dear Jon,

The following five sites (24BL1540, 24BL1718, 24BL1720, 24BL1722 and 24BL1730) were recommended not eligible for inclusion in the National Register of Historic Places by Ethnoscience, Inc., as described in the report entitled *Fort Belknap to Havre: A Cultural Resource Inventory Along US Highway 2* (Fandrich et al., 2003). This letter provides further information regarding the not eligible recommendations for these sites in reply to SHPO comments.

24BL1540 (Madras School) – This site was recommended not eligible because no substantive physical evidence of the school remains at the site. As noted in the inventory report, the schoolhouse was removed from the property, first to the town of Harlem and then to the town of Fort Belknap Agency. Hufstetler and McCormick (1997) also previously recommended the site as not eligible because "the site no longer retains either historical or architectural integrity due to the loss of the schoolhouse and coal shed buildings" and went on to state "the site does not meet criteria for National Register listing because it lacks integrity." The site lacks integrity because all of the buildings have been removed.

<u>24BL1718 (East Chinook School)</u> – This site was recommended not eligible because the site has suffered a loss of integrity due to architectural modifications and deterioration caused by 30 years of neglect since the school was abandoned in 1972. The schoolhouse (Feature 1) was substantially modified at least twice because of additions and a window replacement during its active operation. Since abandonment of the school most of the windows of have been compromised, leaving the interior open to animal access and weather. The result is that the schoolhouse lacks integrity of design, materials and workmanship due to modifications and physical deterioration. The coal shed (Feature 2) has also suffered loss of integrity of design and materials due to deterioration caused by the removal of all doors and hatches. The corral (Feature 4) consists of a fence and has

no substantive architectural character. The removal of the school outhouse in the 1950s and the introduction of a non-related building (Feature 3, a house) onto the property in 1976 have compromised the integrity of setting and feeling of the site. Thus, overall the site has lost integrity of design, setting, materials, workmanship and feeling, rendering it difficult to convey its historic identity as a school (National Park Service [NPS] 1997:44-45).

24BL1720 (Bunkhouse) – This site was recommended not eligible because it has suffered a loss of integrity due to physical deterioration. The bunkhouse is in very poor condition, with one wall partially collapsed and the loss of all windows, resulting in a loss of integrity of design, materials, workmanship and feeling. The bunkhouse has also lost all interior integrity. The site is therefore unable to convey its historic identity as a migrant worker bunkhouse. Furthermore, in comparing related properties as per the National Register Bulletin guidelines (NPS 1997:9), better examples of migrant worker bunkhouses from the same period are present at 24BL1541, a site that is recommended eligible for inclusion in the NRHP in part because of the bunkhouses. The bunkhouses at site 24BL1541 are in far better physical condition and have a more extensive historical context than the bunkhouse at site 24BL1720.

24BL1722 (Chinook Railroad Depot) - This site was recommended not eligible because it lacks historical association, has a common architectural style, and because there is evidence to suggest the depot (Feature 1) may be of modern construction. This is the third railroad depot located at Chinook. Despite its relatively recent construction, however, this is the least documented of the depots. The Blaine County historical society and museum has information about the first two depots, but nothing about the current depot. The Burlington Northern Santa Fe railroad, which owns the depot, has no information about the depot. There are conflicting stories concerning when the depot was constructed, ranging from 1945 to 1958. It is known that the depot was in existence by March 19, 1958 only because it appears in the foreground of a photo of the Chinook elevator fire (Chinook Centennial 89s 1989:75). The date of circa 1948 to 1954 was included in the report as probable date of construction, but that is only a general estimate. The depot operated only during the waning days of rail passenger service and was eventually abandoned as a passenger and freight stop. Thus, because of its recent origin, the depot has a very limited and unremarkable association with the history of Chinook and the Great Northern Railway. The depot is in excellent condition, but of unexceptional ranch style architecture. The other standing building at the site is a warehouse (Feature 4) that also has no significant historic association or architectural character.

<u>24BL1730 (Farmstead)</u> – This site was recommended not eligible because it has lost integrity and because some of the features were moved onto the site within the past 30 years. As noted in the site description, the house (Feature 1) was moved onto the property in 1977, after the original house burned. The shop (Feature 2) was moved onto the property in 1974. Both of these buildings have lost integrity of design, materials, feeling and association and do not meet the eligibility requirements of National Register Criteria Consideration B: Moved Properties (NPS 1997:29). There is no evidence

suggesting that the remaining buildings have historic associations with important events or people in the Chinook area, nor do any of the buildings have distinctive architectural style. The introduction of moved buildings has also compromised the historic setting of the site.

Sites located at 428 Indiana Street and 200 New York Street were not mentioned in the report because they are not located within the project area.

The town of Lohman, which reached its pinnacle of activity in 1916, is recommended not eligible as a potential historic district because it lacks integrity of design, setting, materials and feeling. The National Register Bulletin (NPS 1997:5) states, "the majority of the components that add to the district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole." Sites 24BL1120, 24BL1121, 24BL1258 and 24BL1259 have all lost much of their physical integrity of design and materials, as noted by Dau and Brumley (1989), Ashley (1992) and Fandrich et al (2003). The integrity of setting and feeling are compromised because the former railroad buildings at site 24BL1121 were moved and modified and because sites 24BL1258 and 24BL1259 were constructed or completed circa 1945-1950 and were only in operation for about ten years. Furthermore, none of the buildings at sites 24BL1120, 24BL1121, 24BL1258 and 24BL1259 are not recommended individually significant within the context of Criterion A, B, C or D. The area of Lohman located north of the railroad tracks was the center of activity during the town's peak in 1916, but has lost much of its integrity due to the deterioration or removal of historic buildings. Thus, many of the buildings have lost individual integrity, as has the town of Lohman as a whole. The question of a potential historic district in Lohman was not addressed in the report because the four sites within the project area are recommended individually not eligible due in part to loss of integrity and because most of the remaining buildings located outside of the project area also appear to have lost integrity.

Sites 24BL1712 and 24BL1713 need further investigation to exclude possible modern or recent historic origin of the sites. It is possible that the depression feature at 24BL1712 is deflation caused by livestock activity around the post. It is also possible that the depressions at site 24BL1713 may be the result of gravel testing. If these sites are of relatively recent origin, then it is highly unlikely that testing would be necessary to make an NRHP eligibility recommendation under Criterion D. Further contact with local residents should help clarify the character of these sites.

Please call me if you have any questions or require further information about these sites.

Sincerely,

Blain Fandrich Historian

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Montana Historical Society

February 28, 2003

MAR 0 7 2003

FILE COPY

JON AXLINE
MDT
2701 PROSPECT AVENUE
PO BOX 201001
HELENA MONTANA 59620 1001

RE: PLH - TCSP 1-6(44)384 US 2 - Havre to Fort Belknap EIS Control No. 4951

Dear Jon,

Those sites, which you have determined will be handled under the Problematic Agreement, are: 24HL1128, 24BL1537, and 24BL1573. Sites, which we have a CD that they are Eligible for the Register are: 24HL0942, 24HL1133, 24BL0838, 24BL0981, 24BL1050, 24BL1146, 24BL1248, 24BL1251, 24BL1254, 24BL1351, 24BL1541, 24BL1542, 24BL1543, and 24BL1574.

Sites, which you currently determined Eligible and we concur, are: 24BL1731, 24BL1734, 24BL1725, 24BL1726, 24BL1728, and 24BL1729. Sites, which we concur, will remain unresolved for the time being are: 24BL1575, 24BL1576, 24BL1712, and 24BL1713.

The vast majority of the sites which you have determined Not Eligible, we concur in your finding. They are: 24BL0156, 24BL0909, 24BL0929 – 24BL0937, 24BL0952 – 24BL0958, 24BL1122, 24BL1247, 24BL1249 – 24BL1250, 24BL1252 – 24BL1253, 24BL1257, 24BL1260, 24BL1570, 24BL1577, 24BL1708 – 24BL1711, 24BL1714 – 24BL1717, 24BL1719, 24BL1721, 24BL1723 – 24BL1724, 24BL1727, 24BL1732 – 24BL1733, and 24BL1735 – 24BL1740.

We think that we may have a rural/urban district at the town of Lohman. Sites 24BL1120, 24BL1121, 24BL1258, and 24BL1259 would all contribute to this district. We cannot disregard what remains of the few small towns in Montana, which have really taken a beating in the last several decades.

We think that the Madras School, site 24BL1540 retains enough integrity to be considered Eligible so do not concur with the report. It is the same story with the East Chinook School, site 24BL1718. We did not see enough contextual work done on sites 24BL1720, and 24BL1730 both of which lacked any listed sources. The Chinook Depot complex of buildings appeared to have some buildings with diminished integrity, but others appeared to retain enough so we are also unsure of its eligibility, so all these sites mentioned in this paragraph will remain unresolved.

RE: PLH – TCSP 1-6(44)384 US 2 – Havre to Fort Belknap EIS Control No. 4951 (February 28, 2003)

We are not sure why the sites located at 428 Indiana Street and 200 New York Street in Chinook were not mentioned in this report since Ashley mentioned them in his 1992 Roadside Architecture Survey.

With regard to the proposal to leave the eligibility of the 3 prehistoric sites, and 24BL1712 which may be a prehistoric site, unresolved pending possible future testing, we have the following observation. Consistent with the §800 regulations we believe that an eligibility determination should be made before planning proceeds to the point that options, possibly including avoidance, are foreclosed.

We recommend that subsurface testing be carried out as soon as preliminary plans are available in the event those plans include possible impacts to these sites. Following §800.8, possible adverse effects to historic properties should be identified, evaluated and any mitigation commitments agreed upon during development of the EIS. Therefore testing and evaluation should take place during the development of and evaluation of alternatives rather than after a preferred alternative is identified when possibilities to avoid or minimize adverse effects by redesign may have been forfeited.

Certainly commitments to avoid, minimize or mitigate adverse effects to historic properties should be worked out prior to the issuance of a ROD so that those commitments can be included in the decision document. In short then we can agree at this time to delaying testing and evaluation of 24BL1712 and 24BL1713 but we do recommend that testing proceed as soon as possible if early preliminary planning indicates the possibility of impacts. Given the curious nature of 24BL1712 and 24BL1713 we would appreciate a chance to comment on any testing strategy proposed.

If you have any questions about any points that I have made, you may call me at (406) 444-0388.

Sincerely,

Josef J Warhank

Review & Compliance Officer

file: MDT/2003

Montana Historical Society

225 North Roberts + P.O. Box 201201 + Helena, MT 59620-1201 + (406) 444-2694 + FAX (406) 444-2696 + www.montanahistoricalsociety.org +

MASTER FILE COPY

December 6, 2002

Jean A. Riley, P.E.
Engineering Section Supervisor
Environmental Services
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001

Re: US 2 Havre to Fort Belknap EIS

Dear Jean:

I received a call today - I believe from a representative of the consulting engineers for the above-cited project - asking about our status as a "Cooperating Agency" with reference to your letter to us dated September 17, 2002. In looking into the matter I determined that we neglected to formally respond to your request in writing.

Via email, however, I did discuss this matter with Jon Axline, MDT Historian, on September 19 and 23. In that communication I agreed with Jon that the role of this office in consultation with MDT under the Section 106 process of the National Historic Preservation Act would seem adequate for our involvement in this project - if not also preferable as it would be through existing established procedures for our response to findings and determinations initiated and made by MDT. As such, it does not appear necessary for us to be further defined as a "Cooperating Agency" for the purposes of your development of an Environmental Impact Statement.

Thank you for your original letter and request. I apologize if our lack of letter response has resulted in any confusion regarding our participation in the consideration of impacts to cultural resources from this proposed undertaking.

Mark F. Baumler, Ph.D.

Sincerely.

State Historic Preservation Officer

File: MDT/US 2 Havre to Fort Belknap

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

October 21, 2002

Patrick Chief Stick, SR Cultural Representative Rocky Boy Tribe RT 1, Box 544 Box Elder, MT 59521

Dear Mr. Chief Stick:

Ethnoscience, Inc. has been hired by the Montana Department of Transportation to conduct a cultural resource survey of US Highway 2 from Havre to Fort Belknap (see enclosed map).

If you have concerns regarding this project or would like to participate in the project, please let us know.

Pespectfully,

Lynelle Peterson Ethnoscience, Inc.

Enc.

Cc Alvin Windy Boy, SR., Tribal Chairman

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com



Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

October 21, 2002

John Allen Fort Belknap Assiniboine Cultural Representative RR 1, Box 66 Harlem, MT 59526

Dear Mr. Allen.

Ethnoscience, Inc. has been hired by the Montana Department of Transportation to conduct a cultural resource survey of US Highway 2 from Havre to Fort Belknap (see enclosed map).

If you have concerns regarding this project or would like to participate in the project, please let us know.

Respectfully,

Ethnoscience, Inc.

Enc.

Cc Joseph McConnell, Tribal Chairman

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com

4062529483

Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

October 21, 2002

Curley Youpee Cultural Resource Director Fort Peck Tribes PO Box 1027 Poplar, MT 59255

Dear Mr. Youpee:

Ethnoscience, Inc. has been hired by the Montana Department of Transportation to conduct a cultural resource survey of US Highway 2 from Havre to Fort Belknap (see enclosed map).

If you have concerns regarding this project or would like to participate in the project, please let us know.

Respectfully

Lynelle Peterson Ethnoscience, Inc.

Enc.

Cc Arlyn Headdress, Tribal Chairman

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

October 21, 2002

Kathleen Brewer Blackfoot Cultural Representative PO Box 850 Browning, MT 59417

Dear Kathleen Brewer:

Ethnoscience, Inc. has been hired by the Montana Department of Transportation to conduct a cultural resource survey of US Highway 2 from Havre to Fort Belknap (see enclosed map).

If you have concerns regarding this project or would like to participate in the project, please let us know.

Respectfully

Lynelle Peterson Ethnoscience, Inc.

Cc William Talks About

Enc.

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com



Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

October 21, 2002

Morris Belgarde
Cultural Representative
Fort Belknap Gros Ventre
Fort Belknap Community Council
RR 1, Box 66
Harlem, MT 59526

Dear Mr. Belgarde:

Ethnoscience, Inc. has been hired by the Montana Department of Transportation to conduct a cultural resource survey of US Highway 2 from Havre to Fort Belknap (see enclosed map).

If you have concerns regarding this project or would like to participate in the project, please let us know.

Respectfully

Lypelle Peterson Ethnoscience, Inc.

Enc.

Cc Joseph McConnell, Tribal Chairman

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com

Fax: (406) 252-9483 E-mail: ethno@wtp.net

Phone: (406) 252-7945

October 28, 2002

Patrick Chief Stick, SR Cultural Representative Rocky Boy Tribe RT 1, Box 544 Box Elder, MT 59521

Dear Mr. Chief Stick

I am writing to you regarding the concerns that you expressed to Tamera Parkins on Friday, October 25, 2002. Ethnoscience has been given a very short time to complete this project. Due to concerns regarding the weather, we sent a crew to complete a survey of this project(300 ft on each side of the existing US Highway 2 from East of Havre to East of Fort Belknap) last week. Our contact person for the survey on Ft. Belknap was John Healy, and Morris Belgard accompanied our employees during this portion of the survey. Although a number of historic sites were identified, no prehistoric sites were found.

There is money available in our budget to show you or your representative the project area and to record any areas of concern that you may have. I will be happy to arrange a meeting with you at your earliest convenience.

If you have any questions or concerns, please call me at 406-252-7945.

Respectfully

Lynelle Peterson Ethnoscience, Inc.

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4140 King Avenue East Billings, MT 59101 www.ethnoscience.com



Phone: (406) 252-7945 Fax: (406) 252-9483 E-mail: ethno@wtp.net

December 10, 2002

Patrick Chief Stick, Sr. Cultural Representative Rocky Boy Tribe RR 1, Box 544 Box Elder, MT 59521

Dear Patrick,

You requested to visit the US Highway 2 project area between Havre and Fort Belknap. This letter is to let you know that I will be returning to the Havre area from December 16 to December 20, 2002, and will be available to show you the area and any of the sites identified along US Highway 2 that you wish to visit. Please call me collect at (406) 252-7945 and let me know what day is most convenient for you. I will then plan my schedule accordingly.

Sincerely,

Blain Fandrich

Historian

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September 2004

APPENDIX G - Noise

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 ${\bf Table~6-1:~Noise-Sensitive~Receptors~and~Predicted~Traffic~Noise~Levels~Per~Alternative}$

Receptor	Nearest Reference Post / Town / Description of Receptor	Distance to Existing US 2 Centerline (meters)	Distance to Build Alternative Centerline (meters) RP	No Build Leq(h) in 2002 (dBA) 384 - Havre	No Build Leq(h) in 2027 (dBA)	Improved Two- Lane Leq(h) in 2027 (dBA)	Imp. Two-Lane w/ Passing Lanes Leq(h) in 2027 (dBA)	Four-Lane Undivided Leq(h) in 2027 (dBA)	Four-Lane Divided Leq(h) in 2027 (dBA)
HV:R1	Single-family residence south of US 2	41	38	61	62	62	62	63	63
HV:R2	Single-family residence south of US 2	46	44	59	60	62	62	61	61
HV:R3	Represents 3 single-family residences south of US 2	90	87	52	53	56	56	56	56
HV:R4	Single-family residence south of US 2	49	47	57	58	62	62	62	62
HV:R5	Single-family residence north of US 2	32	35	60	61	62	62	62	62
HV:R6	Single-family residence south of US 2	36	34	60	61	64	64	63	63
HV:MH1	First-row mobile home residence north of US 2	78	80	53	55	56	56	56	56
HV:MH2	First-row mobile home residence north of US 2	75	77	54	55	56	56	56	56
HV:MH3	First-row mobile home residence north of US 2	52	54	57	58	59	59	60	60
HV:MH4	First-row mobile home residence north of US 2	32	34	60	61	62	62	64	64
HV:MH5	Represents 2 first-row mobile home residences north of US 2	30	31	60	62	64	64	64	64
HV:MH6	Represents 2 first-row mobile home residences north of US 2	35	37	60	61	63	63	64	64
HV:R7	Single-family residence south of US 2	44	43	60	61	61	61	61	61
HV:R8	Single-family residence north of US 2	36	37	60	61	63	63	64	64
HV:M1	Circle Inn Motel north of US 2	26	28	62	63	64	64	65	65
HV:R9	Single-family residence north of US 2	38	39	59	60	61	61	62	62
HV:R10	Single-family residence north of US 2	45	47	59	60	60	60	62	62
HV:R11	Single-family residence north of US 2	38	42	60	61	63	63	63	63
HV:R12	Single-family residence north of US 2	40	45	62	63	62	62	62	62
	1			385 - Havre			1		1
HV:R13	Single-family residence north of US 2	66	86	56	57	58	58	58	58
HV:R14	Single-family residence north of US 2	60	81	57	58	57	57	57	57
HV:R15	Single-family residence north of US 2	53	74	58	60	58	58	58	58
HV:R16	Represents 2 single-family residences north of US 2	109	130	52	53	52	52	53	53
	T			RP386			1		1
HV-L:R1	Single-family residence north of US 2	99	119	53	54	53	53	54	54
HV-L:R2	Single-family residence south of US 2	133	113	50	51	54	54	54	54
HV-L:R3	Single-family residence north of US 2	86	106	54	55	54	54	55	54
HV-L:R4	Single-family residence south of US 2	150	132	49	50	52	52	52	53
HV-L:R5	Single-family residence south of US 2	130	123	51	52	53	53	54	53
	In			RP387					
HV-L:R6	Single-family residence north of US 2	71	79	55	56	57	57	57	57
HV-L:MH1	Mobile home residence south of US 2	72	64	55	56	58	58	59	59
HV-L:R7	Single-family residence north of US 2	69	78	55	56	57	57	58	57
HV-L:R8	Single-family residence south of US 2	38	29	61	62	<u>67</u>	<u>67</u>	<u>67</u>	<u>66</u>
HV-L:R9	Single-family residence north of US 2	45	53	60	61	60	60	61	60
HV-L:R10	Single-family residence north of US 2	75	83	55	56	56	56	57	57
HV-L:R11	Single-family residence north of US 2	67	75	56 RP388	57	57	57	57	58
HV-L:R12	Single-family residence north of US 2	67	75	56	57	57	57	57	58
HV-L:R13	Single-family residence north of US 2	128	135	51	52	52	52	53	53
HV-L:R14	Single-family residence north of US 2	71	79	56	57	57	57	57	57
HV-L:R15	Single-family residence south of US 2	129	114	51 RP389	52	53	53	54	54
HV-L:R16	Single-family residence south of US 2	77	68	55	56	58	58	58	58
				RP390					
HV-L:MH2	Mobile home residence south of US 2	55	46	58	59	64	63	63	64
HV-L:MH3	Mobile home residence south of US 2	83	74	54	55	57	57	58	58
HV-L:MH4	Mobile home residence south of US 2	113	104	52	53	54	55	55	55
HV-L:MH5	Mobile home residence south of US 2	132	123	51	52	53	53	54	54
HV-L:R17	Single-family residence south of US 2	148	139	50 RP391	51	52	52	52	52
HV-L:R18	Single-family residence south of US 2	156	146	49	50	51	51	51	52
HV-L:R19	Single-family residence south of US 2	102	93	53	54	55	57	56	56
HV-L:R20	Single-family residence south of US 2	112	104	52	53	54	55	55	55
HV-L:CG1	Havre Family Campground south of US 2	57	49	58	59	61	62	62	61
HV-L:R21	Single-family residence north of US 2	81	90	55 RP392	56	56	56	57	56
HV-L:R22	Single-family residence south of US 2	57	49	58	59	61	62	62	61
11 Y -1.1X44	Single running residence south of OS 2	31	7/	30	37	01	02	02	U1

 ${\bf Table~6-1:~Noise-Sensitive~Receptors~and~Predicted~Traffic~Noise~Levels~Per~Alternative}$

Receptor	Nearest Reference Post / Town / Description of Receptor	Distance to Existing US 2 Centerline (meters)	Distance to Build Alternative Centerline (meters)		No Build Leq(h) in 2027 (dBA)	Improved Two- Lane Leq(h) in 2027 (dBA)	Imp. Two-Lane w/ Passing Lanes Leq(h) in 2027 (dBA)	Four-Lane Undivided Leq(h) in 2027 (dBA)	Four-Lane Divided Leq(h) in 2027 (dBA)
	T			RP393		T		1	
HV-L:R23	Single-family residence south of US 2	75	48	55	56	61	61	62	62
HV-L:R24	Single-family residence south of US 2	123	94	51	52	55	55	57	56
	D		KP3	95 - Lohman		1		l	
L:R1	Represents 2 single-family residences north of US 2	145	156	50	51	51	51	51	52
L:R2	Single-family residence north of US 2	95	106	53	54	54	54	55	54
L:R3	Single-family residence south of US 2	103	92	53	54	55	55	57	56
L:R4	Single-family residence south of US 2	39	28	62	63	65	65	<u>66</u>	67
RP396									
L:R5	Single-family residence south of US 2	142	131	50	51	52	53	54	53
L:R6	Single-family residence south of US 2	110	99	52	53	55	55	55	55
L-CH:R1	Single-family residence south of US 2	95	86	RP398 53	54	56	56	58	56
L-CH:R1	Single-family residence south of US 2 Single-family residence south of US 2	66	58	56	57	59	59	60	56 59
E-CH.R2	Single-ranning residence south of 65 2	00	50	RP400	31	37	37	00	37
L-CH:R3	Single-family residence north of US 2	129	148	51	52	51	51	51	52
				RP401					
L-CH:R4	Single-family residence south of US 2	66	47	56	57	64	64	63	62
L-CH:R5	Single-family residence north of US 2	94	113	53 03 - Chinook	54	54	54	54	54
CH:R1	Single-family residence south of US 2	71	54	54 S4	55	57	57	58	59
	Sweet Memorial Nursing Home south								
CH:NH1	of US2	40	23	61	62	64	64	64	65
CH:R2	Single-family residence north of US 2	96	108/108/109/113 ^b	52	53	52	52	54	52
CH:R3	Single-family residence south of US 2	59	55/55/51/38 ^b	54	55	56	56	56	60
CH:M1	Bear Paw Court Motel south of US 2	44	41/41/36/23 ^b	58	59	58	58	59	63
	2nd row receptor south of US 2: Bear								
CH2:M1	Paw Court Motel on 2nd St.	113	112/112/108/95 ^b	47	48	48	48	48	51
CH:R4	Single-family residence north of US 2	122	123/123/127/139 ^b	49	50	50	50	50	50
CH:R5	Single-family residence north of US 2	132	139/134/138/150 ^b	48	49	49	49	49	49
CH DC	Represents 4 single-family residences	110	120 // 20 // 2 1 // 11 h	40	40	40	40	40	40
CH:R6	north of US 2	119	120/120/124/141 ^b	48	49	49	49	49	48
CH:M2	Chinook Motor Inn south of US 2	33	32/32/27/8 ^b	56	57	58	58	60	NA
CH2: P1	2nd row receptor south of US 2: Park	124	123/123/119/100 ^b	43	44	44	44	44	50
	at corner of 2nd St. & Indiana								
CH:C1	Alliance Church south of US 2	43	42/42/38/19 ^b	57	58	57	57	58	62
CH:P1	Chinook North Side City Park north of US 2	56	57/57/61/80 ^b	53	54	54	54	54	52
	Represents 5 single-family residences								
CH:R7	north of US 2	116	117/117/121/140 ^b	48	49	49	49	49	48
CH2:R1	2nd row single family residence south of US 2 at NW corner of 2nd St. & Illinois	86	85/85/80/62 ^b	48	49	49	49	51	53
CH2:R2	2nd row single family residence south of US 2 on Illinois midway between US 2 and 2nd St.	61	60/60/55/37 ^b	50	51	52	52	54	57
 	2.10 2.0			RP404		ı		1	
CH:R8	Single-family residence north of US 2	88	89/89/93/112 ^b	51	52	52	53	52	51
CH:R9	Single-family residence north of US 2	94	117	51	52	50	50	51	51
511.10	Z	77	-1/	RP405	55	. 50	20	1 21	J.
CH-Z:R1	Single-family residence south of US 2	173	150	47	50	52	52	52	53
CH-Z:R2	Single-family residence south of US 2	171	149	48	50	52	52	53	53
				RP406					
CH-Z:R3	Single-family residence north of US 2	110	132	52	54	53	53	53	54
CH-Z:R4	Single-family residence south of US 2	56	33	57 DD407	59	<u>67</u>	<u>67</u>	<u>68</u>	<u>66</u>
CH-Z:R5	Single-family residence south of US 2	75	54	RP407 55	57	61	61	61	63
CH-Z:R6	Single-family residence south of US 2	94	116	53	55	54	54	54	55
			*	RP412	-	•			*
Z:R1	Single-family residence south of US 2	28	20	63	65	<u>68</u>	<u>69</u>	<u>69</u>	<u>71</u>
Z:R2	Single-family residence north of US 2	104	113	52	54	54	54	56	55
	1		RP	413 - Zurich		1		<u> </u>	
Z:R3	Represents 3 single-family residences	120	128	51	53	53	53	55	54
Z:R4	north of US 2 Single-family residence south of US 2	78	69	55	57	59	59	59	59
2.15	angle runny residence south of US 2	70		RP420	31	37	3)	3)	5)
Z-HM:R1	Single-family residence north of US 2	102	110	52	54	54	54	54	55

Table 6-1: Noise-Sensitive Receptors and Predicted Traffic Noise Levels Per Alternative

	Single-family residence north of US 2 Single-family residence south of US 2		Centerline (meters)	2002 (dBA)	Leq(h) in 2027 (dBA)	Improved Two- Lane Leq(h) in 2027 (dBA)	w/ Passing Lanes Leq(h) in 2027 (dBA)	Undivided Leq(h) in 2027 (dBA)	Four-Lane Divided Leq(h) in 2027 (dBA)
	<u> </u>			RP421		1			T
Z-HM:R3	Single-family residence south of US 2	150	165	49	51	51	51	51	53
		33	21	62	65	<u>68</u>	<u>69</u>	<u>69</u>	<u>70</u>
			2.1	RP422					
Z-HM:R4	Single-family residence south of US 2	44	34	62 RP423	65	64	65	<u>67</u>	<u>66</u>
Z-HM:R5	Single-family residence south of US 2	44	36	62	64	67	66	66	- ((
Z-HM:R5	Single-family residence south of US 2	44		24 - Harlem	04	<u>07</u>	00	00	<u>66</u>
HM:R1	Single-family residence north of US 2	150	156	49	51	53	53	53	53
	Single-family residence south of US 2	53	47	58	60	63	63	65	65
HM·R3	First-row single-family residence north of US 2	109	117	52	54	56	56	56	56
	First-row single-family residence north of US 2	137	145	50	52	53	53	54	54
HM:R5	First-row single-family residence north of US 2	91	100	53	55	58	58	58	58
	First-row single-family residence north of US 2	66	74	56	58	58	58	59	59
	First-row single-family residence north of US 2	74	82	55	57	58	58	58	58
	First-row single-family residence north of US 2	85	94	54	56	59	59	58	58
	First-row single-family residence north of US 2	107	116	52	54	56	56	56	56
	First-row single-family residence north of US 2	138	147	50	52	54	54	54	54
HM:M1	McGuires Motel north of US 2	19	29	<u>66</u>	<u>68</u>	68	68	<u>68</u>	68
				25 - Harlem		-			
	Centennial Park north of US 2	44	54	63	65	63	63	63	63
	Single-family residence north of US 2	41	51	63	65	63	63	64	64
	Single-family residence south of US 2	42	39	61	63	64	64	65	65
HM:R13	Single-family residence north of US 2	25	25	64	<u>66</u>	<u>68</u>	<u>68</u>	<u>70</u>	<u>69</u>
1_		1	RP428	- Ft. Belknap		1			1
FB:P1	Tribal information park and rest area south of US 2	95	95	53	55	58	58	58	58
FB:RV1	RV Park south of US 2	98	98	53	55	58	58	57	57
 	Number of receptors where noise l		•	1	2	7	7	9	9
Number of re	eceptors possibly relocated due to rigl		construction:	0	0	5	5	5	6
	Total impacted r	eceptors (minus	relocated receptors):	1	2	2	2	4	3

Receptor Key:

C	Church	M	Motel/hotel
CG	Campground	MH	Mobile home
CH	Chinook	NH	Nursing home
CH2	Chinook 2nd row receptors	P	Park
FB	Fort Belknap	R	Residence
HM	Harlem	RV	RV park
HV	Havre	Z	Zurich
L	Lohman		

Table Notes:

Likely relocation of receptor due to physical impacts of roadway construction.

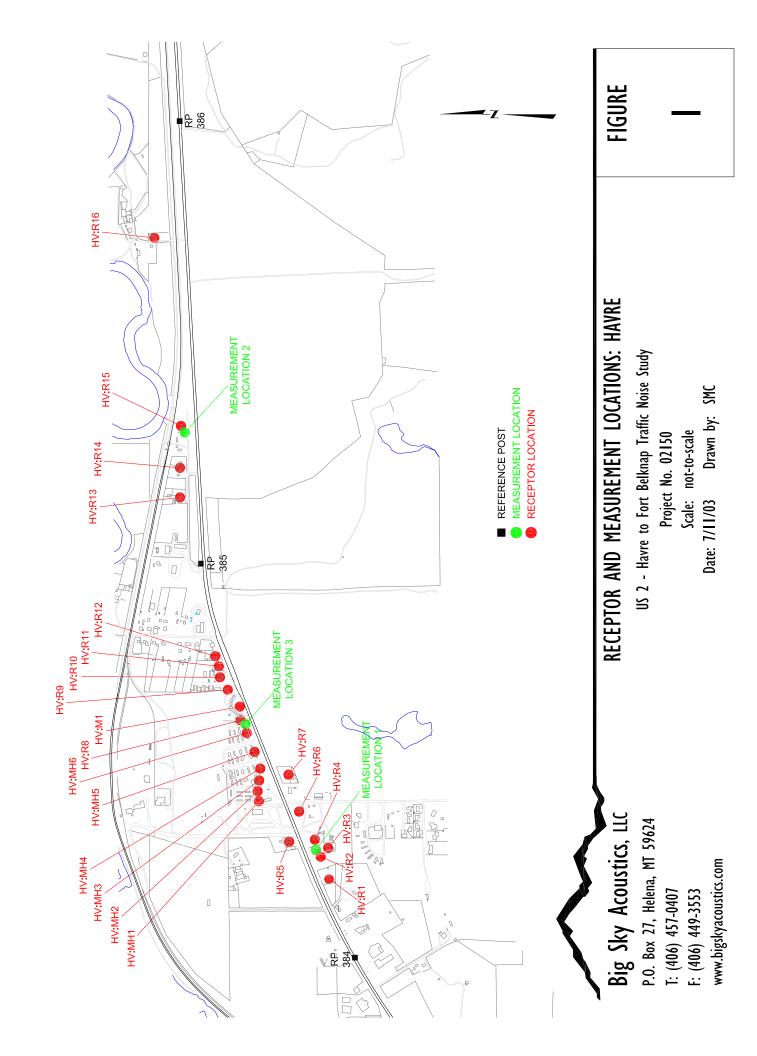
Possible relocation of receptor due to right-of-way acquisition.

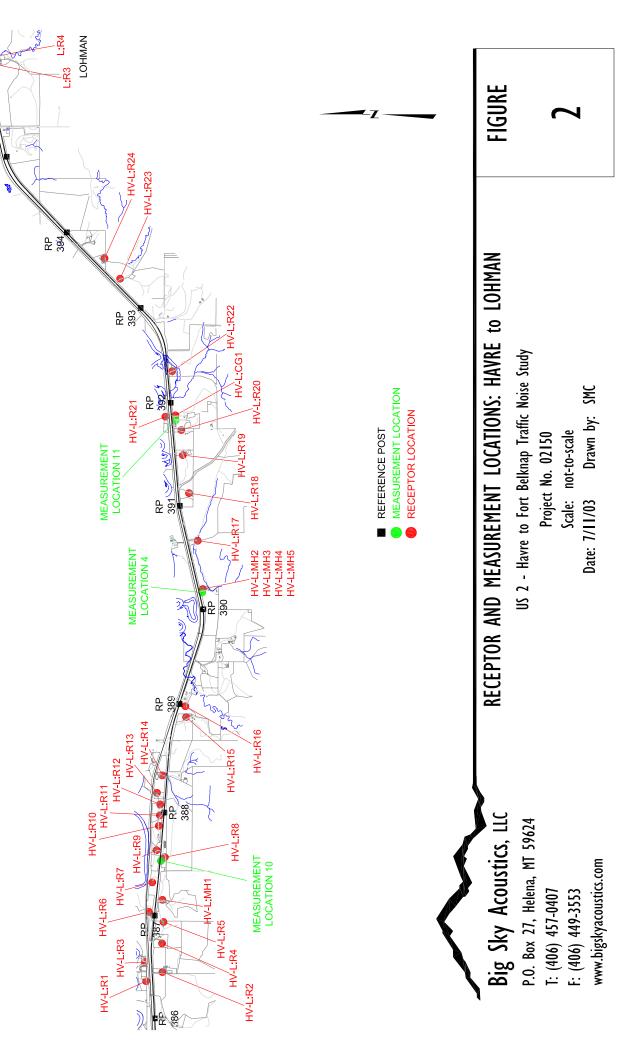
<u>**XX**</u> Predicted traffic noise level meets or exceeds the noise impact criteria (66 dBA).

Unless indicated, distance of the receptor to the highway centerline does not vary between the four Build Alternatives.

Distance of receptor varies to centerlines of four Build Alternatives: Improved Two-Lane / Improved Two-Lane with Passing Lanes / Four-Lane Undivided / Four-Lane Divided

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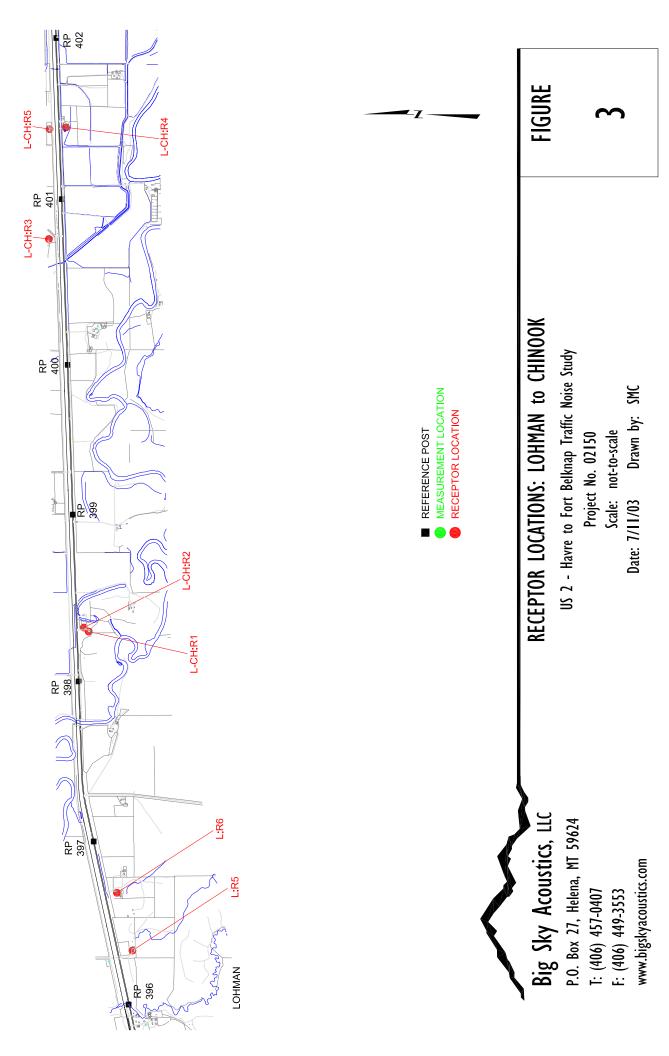


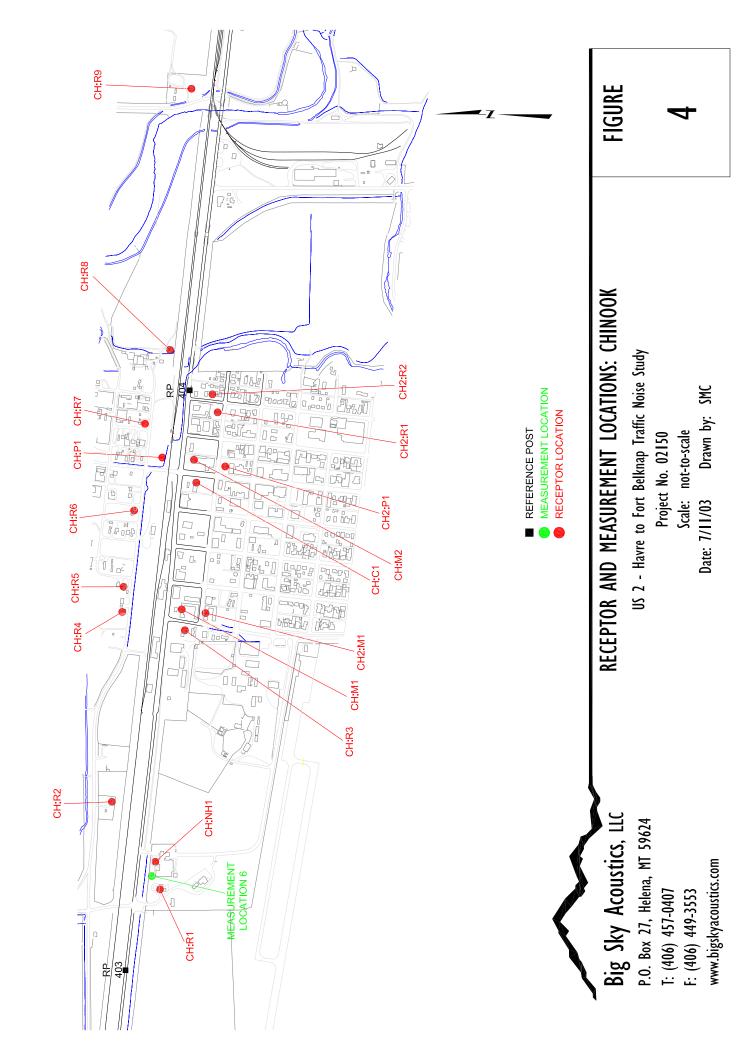
396

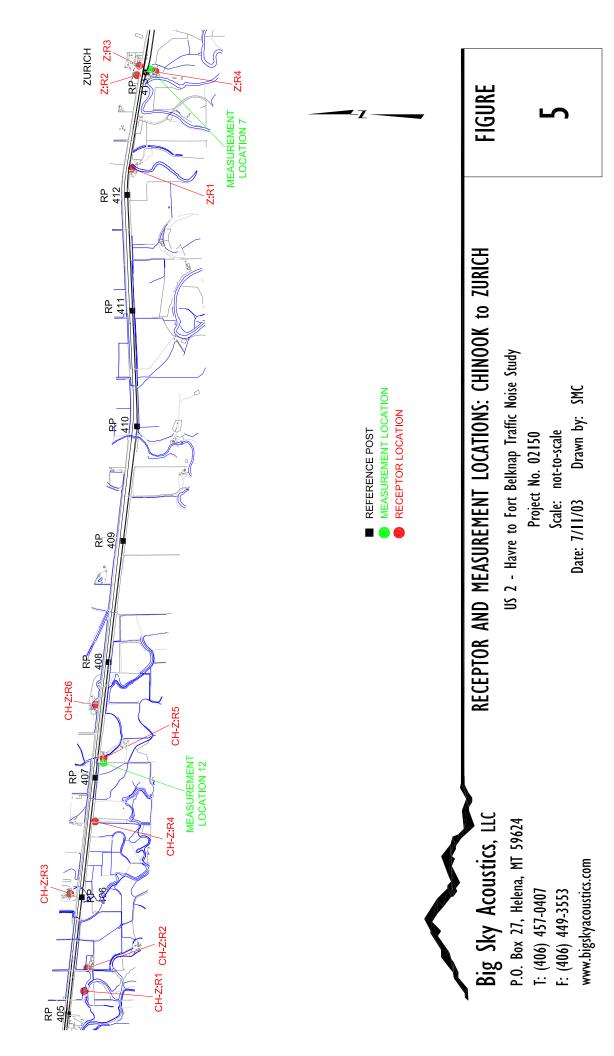
L:R2

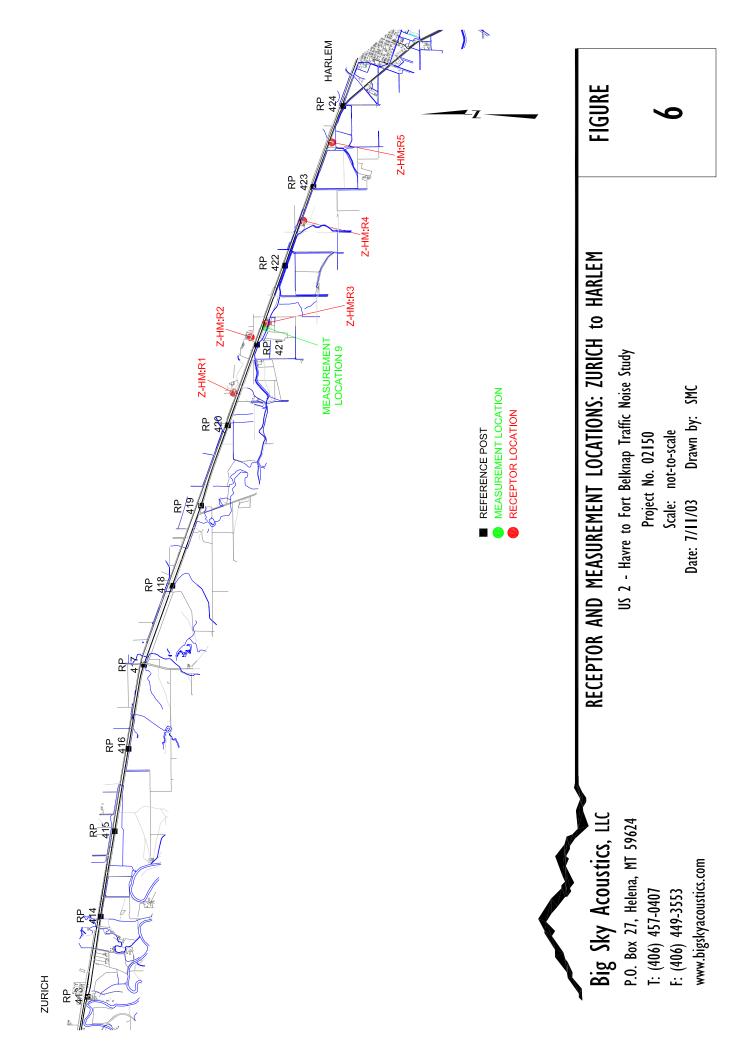
L:R1 RP

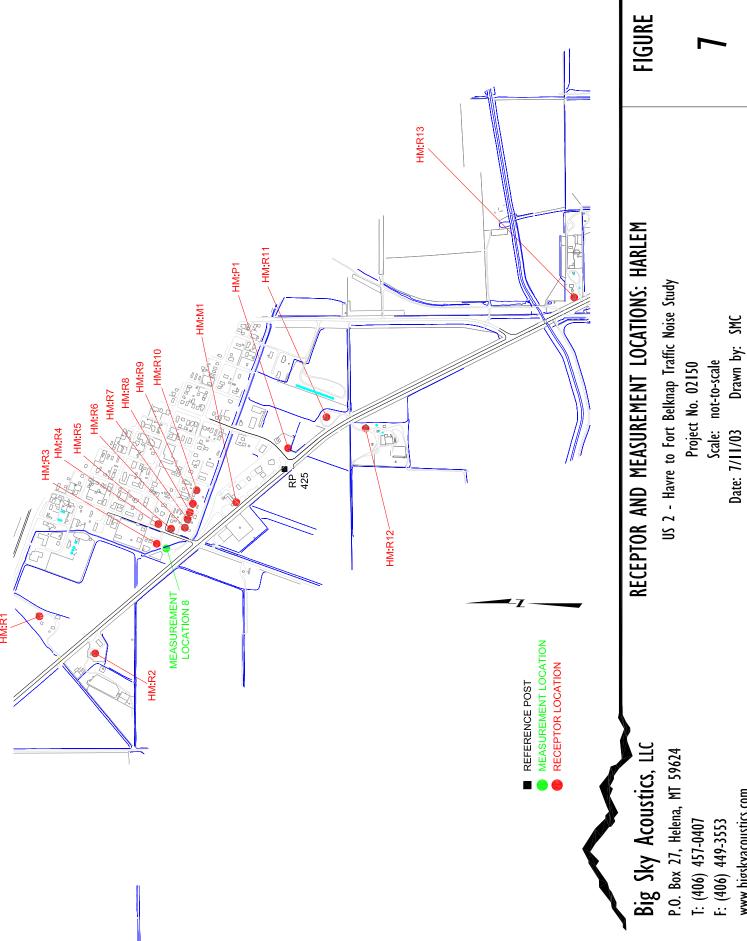
MEASUREMENT LOCATION 5







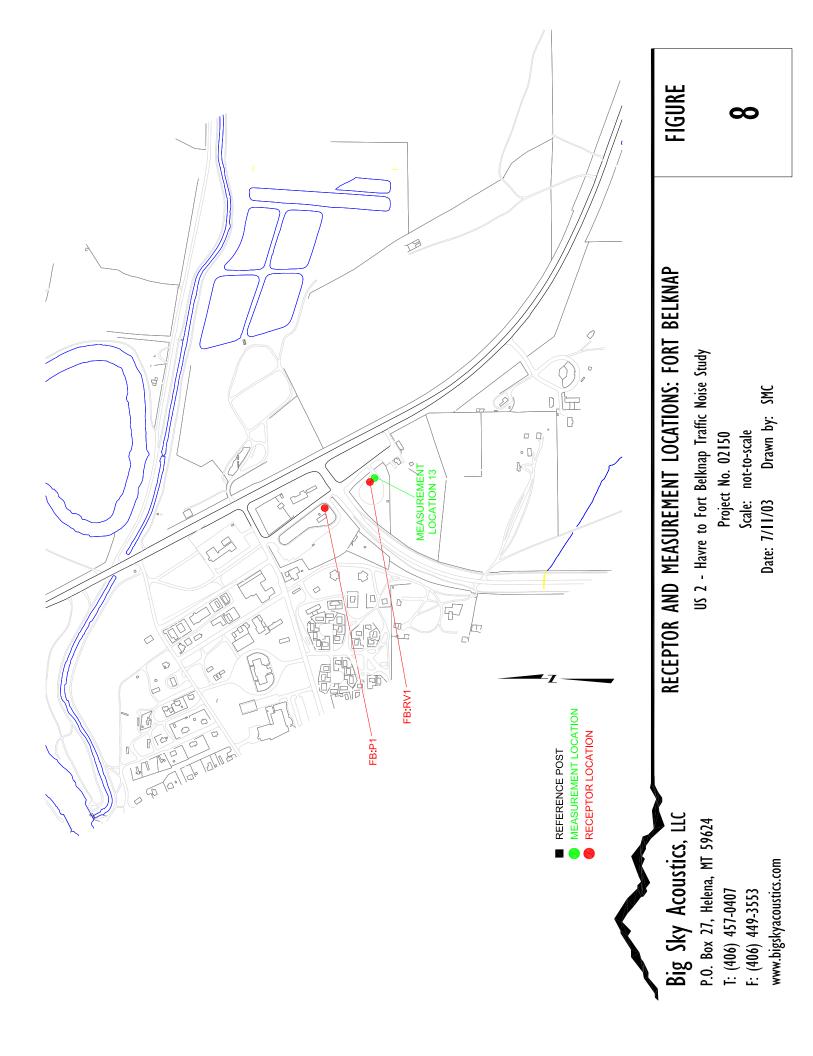




T: (406) 457-0407

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APPENDIX H – Wetland Impacts Tables

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Table H-1. Jurisdictional Wetland Impacts

	Wetla	nd Descriptio	1	Aı (Estimate	mount of Wed quantities b	etland Impactor ased on conceptor greatest impac	ual level of desig	ative gn; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
В	383.6	Parallel north	0.5 ha (1.3 ac)	0	0	0	0	0	Avoided	Project alignment located south of wetland.
A	383.7	Parallel north	1.1 ha (2.8 ac)	0	0	0	0	0	Avoided	Project alignment located south of wetland.
C Little Box Elder Cr.	389.1	Perpendicular, mostly south	1.4 ha (3.4 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.4 ac)	0.2 ha (0.5 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
D	389.4	Parallel north and Perpendicular	0.7 ha (1.7 ac)	0	0*	0*	0*	0*	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.
E	390.2	Parallel north and Perpendicular	0.1ha (0.2 ac)	0	0*	0*	0*	0.04 ha (0.1 ac)	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.
F	392.0	Parallel south	1.9 ha (4.6 ac)	0	0.2 ha (0.5 ac)	0.2 ha (0.6 ac)	0.3 ha (0.7 ac)	0.3 ha (0.7 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Н	392.2	Parallel south and Perpendicular	1.0 ha (2.6 ac)	0	0.2 ha (0.4 ac)	0.2 ha (0.5 ac)	0.2 ha (0.5 ac)	0.2 ha (0.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
	392.5	Parallel north	0.3 ha (0.6 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.



Table H-1. Jurisdictional Wetland Impacts (continued)

	Wetla	nd Description		Aı (Estimate	ed quantities b	etland Impactorsed on conceptorsed greatest impactors	ual level of desig	ın; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
L Clear Creek	395.9	Perpendicular, mostly south	1.2 ha (3.1 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	0.2 ha (0.4 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
N	396.5	Parallel south	3.1 ha (7.6 ac)	0	0.2 ha (0.4 ac)	0.3 ha (0.7 ac)	0.3 ha (0.7 ac)	0.4 ha (0.9 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Qx Milk River	397.8	Perpendicular, mostly south	0.3 ha (0.8 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Р	398.2	Parallel south	2.1 ha (5.2 ac)	0	0*	0*	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing. This RR separation further reduced to minimize impacts to wetlands.
Q	398.3	Parallel south	2.8 ha (6.9 ac)	0	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	0.5 ha (1.3 ac)	0.6 ha (1.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing. This RR separation further reduced to minimize impacts to wetlands.
R Red Rock Creek (Coulee)	402.3	Perpendicular, mostly south	0.7 ha (1.8 ac)	0	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Minimized impacts	Alignment shifted south and project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
S	402.6	Parallel south and perpendicular	0.1 ha (0.2 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.



Table H-1. Jurisdictional Wetland Impacts (continued)

	Wetla	nd Description	n	Ar (Estimate	mount of W d quantities b	etland Impact ased on concept greatest impac	ual level of desig	ative gn; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
V Unnamed Creek	404.0	Parallel north and Perpendicular	0.8 ha (2.0 ac)	0	0.2 ha (0.5 ac)	0.2 ha (0.5 ac)	0.2 ha (0.5 ac)	0.1 ha (0.3 ac)	Minimized impacts	Alignment shifted south and project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Px Lodge Creek	404.5	Perpendicular, north and south	2.5 ha (6.2 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
W	406.0	Parallel south and perpendicular	1.3 ha (3.3 ac)	0	0.3 ha (0.8 ac)	0.3 ha (0.8 ac)	0.3 ha (0.8 ac)	0.4 ha (1.0 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Sx	406.0	Parallel north	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
X Battle Creek	410.0	Perpendicular, mostly south	2.0 ha (5.0 ac)	0	0.2 ha (0.4 ac)	0.2 ha (0.4 ac)	0.2 ha (0.5 ac)	0.3 ha (0.7 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Y	412.2	Parallel south	0.9 ha (2.3 ac)	0	0*	0*	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Z	412.3	Parallel south	0.8 ha (1.9 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.



Table H-1. Jurisdictional Wetland Impacts (continued)

	Wetla	nd Description	n			etland Impact based on concept greatest impac	ual level of desig			
Wetland	RP#	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
Ax Milk River	413.0	Parallel south	1.3 ha (3.3 ac)	0	0*	0*	0.1 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing. This RR separation further reduced to minimize impacts to wetlands.
Вх	413.3	Parallel south	1.3 ha (3.3 ac)	0	0.2 ha (0.4 ac)	0.2 ha (0.4 ac)	0.2 ha (0.4 ac)	0.2 ha (0.5 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing. This RR separation further reduced to minimize impacts to wetlands.
Rx 15-mile Creek	413.8	Perpendicular, mostly south	0.9 ha (2.3 ac)	0	0.1 ha 0.2 ac	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Ох	427.5	Parallel east	0.2 ha (0.5 ac)	0	0	0	0	0	Avoided	Project alignment located west of wetland.
Tx Milk River (South side of Milk River is located on Fort Belknap Indian Res.)	428.0	Perpendicular, east and west		0	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project is maintained along existing alignment to minimize impacts.

Table H-1. Jurisdictional Wetland Impacts (continued)

	Wetla	nd Description	n	Ar (Estimate	nount of W d quantities b	etland Impact ased on concept greatest impac				
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
Nx (Located on Fort Belknap Indian Res.)	428.2	Parallel east	1.9 ha (4.6 ac)	0	0	0	0	0	Avoided	Project alignment located west of wetland.
TOTAL ^{1, 2}			32.0 ha (79.5 ac)	0	2.7 ha (5.9 ac)	2.8 ha (6.4 ac)	3.3 ha (7.9 ac)	3.9 ha (9.7 ac)		
Percent of	Percent of Total ³			0 %	8.4 %	8.8 %	10.3 %	12.2 %		

^{*}Impact less than 0.04 ha (0.1 ac).

Source: David Evans and Associates, Inc., December 19, 2003. *US 2, Havre to Fort Belknap Biological Resources Report.* Please note that Total Wetland area impacts for jurisdictional wetlands differ from the *Biological Resources Report* due to changes in wetland impacts at Wetland Qx as a result of the Milk River Bridge replacement project. Due to rounding, this difference is apparent in the two-lane alternatives but not in the four-lane alternatives in this table.

¹ Wetland impacts less than 0.04 (0.01 ac) are not included in total wetland impact calculations.

² The conversion from hectares to acres is not exact due to rounding for wetlands with small impact areas. For further detail on wetland impacts and rounding, please see the *Biological Resources Report* (DEA, December 2003).

³ Percent of total is calculated for hectares.



Table H-2. Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches and Canals Impacts

	Wetla	nd Description	n	Ar (Estimate	mount of W d quantities b	etland Impactor ased on conceptor greatest impactor	ual level of desig	ative gn; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
G	392.2	Parallel north	0.1 ha (0.2 ac)	0	0	0	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Avoided or minimized impacts Four-Lane Divided cannot be avoided or minimized	Alignment shifted south to avoid or minimize wetland impacts and used minimum safe distance between highway and RR crossing to avoid wetland or minimize impacts. Four-Lane Divided could not be avoided or minimized. Minimized impacts to jurisdictional wetland F.
J	395.0	Parallel south	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.
К	395.0	Parallel north	0.2 ha (0.5 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety, and increase distance from RR crossing for traffic safety.
0	397.0	Parallel north	0.1 ha (0.3 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
Т	402.6	Parallel south	0.2 ha (0.5 ac)	0	0	0	0	0.2 ha (0.4 ac)	Avoided or minimized impacts	Project uses minimum safe distance between highway and RR crossing to avoid wetlands or minimize impacts to wetlands.
Kx	418.7	Parallel south	1.4 ha (3.4 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.

Table H-2. Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetla	nd Description	n			etland Impactor ased on conceptor greatest impac	ual level of desig			
Wetland	RP#	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
Lx	418.8	Parallel south	1.7 ha (4.1 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.
Mx	420.4	Parallel south	0.5 ha (1.3 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands. This RR separation further reduced to minimize impacts to wetlands.
NJVVV	398.3	Parallel north	0.1 ha (0.2 ac)	0	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	0.1 ha (0.1 ac)	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety. Minimized impacts to jurisdictional wetland Q.
NJB	400.6	Parallel south	0.3 ha (0.6 ac)	0	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJC	400.6	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJA	400.6	Perpendicular north and south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJD	400.6	Parallel north	0.1 ha (0.3 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.

Table H-2. Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetla	nd Description	n			etland Impact ased on concept greatest impac	ual level of desig			
Wetland	RP#	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJF	400.6	Parallel south	0.1 ha (0.2 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	0.1 ha (0.2 ac)	Cannot be avoided or minimized	
NJG	400.6	Parallel north	0.1 ha (0.1 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJBB	401.8	Perpendicular north	0.4 ha (0.9 ac)	0	0*	0*	0*	0*	Minimized impacts	Alignment shifted south to minimize wetland impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJM	402.9	Parallel south	0.04 ha (0.1 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	Cannot be avoided	
NJN	403.8	Parallel north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJP	404.2	Parallel and Perpendicular south	0.04 ha (0.1 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJPP	404.2	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.

Table H-2. Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetla	nd Description	n	Ar (Estimate	nount of W d quantities b	etland Impact ased on concept greatest impac				
Wetland	RP #	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJQ	404.3	Parallel south and Perpendicular north and south	0.1 ha (0.3 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.2 ac)	Minimized impacts for Four-Lane Divided only	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands. Improved Two-Lane, Improved Two-Lane with Passing Lanes and Four-Lane Undivided could not be avoided or minimized.
NJQQ	404.3	Perpendicular south	0*	0	0	0	0	0	Avoided	Alignment located to the north of wetland.
NJFFF	404.5	Perpendicular north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJV	405.7	Parallel south	0*	0	0*	0*	0*	0*	Cannot be avoided or minimized	
NJW	405.8	Perpendicular south	0.04 ha (0.1 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJWW	405.8	Perpendicular north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJAA	407.1	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJCC	408.0	Parallel south	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.

Table H-2. Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetla	nd Description	n			etland Impact ased on concept greatest impac				
Wetland	RP#	Wetland Orientation	Total Wetland Area		Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJEE	408.5	Perpendicular north and south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJKKK	413.2	Parallel south	0*	0	0*	0*	0*	0*	Cannot be avoided or minimized	
NJNN	413.5	Parallel north	0*	0	0*	0*	0*	0*	Minimized impacts	Alignment shifted south to minimize impacts and to maintain desirable distance between RR crossing and roadway for traffic safety. This RR separation further reduced to minimize impacts to wetlands.
NJHH	414.5	Parallel south and perpendicular north and south	0.1 ha (0.4 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJTT	420.7	Parallel south	0.9 ha (2.1 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.
NJUU	420.7	Parallel south	2.9 ha (7.2 ac)	0	0	0.1 ha (0.2 ac)	0.4 ha (0.9 ac)	1.1 ha (2.7 ac)	Avoided or minimized impacts	Project uses minimum safe distance between highway and RR crossing to avoid wetlands or minimize impacts.
NJZZ	420.9	Parallel south	0.1 ha (0.4 ac)	0	0.1 ha (0.2 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJVV	421.4	Parallel south	0.1 ha (0.4 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.



Table H-2. Potential "Talent Waters" Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetla	nd Description	1			etland Impactor ased on conceptor greatest impactor				
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
				Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJIII	421.5	Parallel south	0.4 ha (1.0 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.
NJXX	422.3	Perpendicular north and south	0*	0	0	0	0	0	Avoided	Alignment located north of wetland.
NJYY	422.4	Parallel south	0.1 ha (0.2 ac)	0	0*	0*	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
TOTAL ^{1, 2}			10.3 ha (25.3 ac)	0	0.6 ha (1.5 ac)	0.7 ha (1.8 ac)	1.1 ha (2.7 ac)	2.1 ha (5.0 ac)		
Percent of Total ³				0 %	6.2 %	7.2 %	10.9 %	20.7 %		

^{*}Impact less than 0.04 ha (0.1 ac).

Source: David Evans and Associates, Inc., December 19, 2003. *US 2, Havre to Fort Belknap Biological Resources Report*; and David Evans and Associates, Inc., September 2004. *US 2, Havre to Fort Belknap Biological Resources Report Addendum.*

¹ Wetland impacts less than 0.04 (0.01 ac) are not included in total wetland impact calculations.

² The conversion from hectares to acres is not exact due to rounding for wetlands with small impact areas. For further detail on wetland impacts and rounding, please see the *Biological Resources Report* (DEA, December 2003).

³ Percent of total is calculated for hectares.



Table H-3. Non-Jurisdictional Wetland Areas, Ditches and Canals Impacts

	Wetlan	d Description				tland Impacte sed on conceptua greatest impact				
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
			Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
М	396.4	Parallel north	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
U	402.9	Parallel south	1.8 ha (4.4 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.
Сх	414.5	Parallel south	0.2 ha (0.4 ac)	0	0	0	0	0	Avoided	Alignment located north of wetland.
Dx	415.0	Parallel south	14.2 ha (35.1 ac)	0	1.3 ha (3.2 ac)	1.3 ha (3.2 ac)	1.6 ha (4.0 ac)	2.3 ha (5.7 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Ex	415.0	Parallel north	1.0 ha (2.4 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
Fx	415.3	Parallel south	0.4 ha (0.9 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.2 ha (0.4 ac)	0.2 ha (0.6 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Gx	415.3	Parallel south	0.2 ha (0.5 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.2 ha (0.4 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
Нх	416.0	Parallel south	1.7 ha (4.1 ac)	0	0*	0*	0*	0.1 ha (0.3 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.



Table H-3. Non-Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetlan	d Description		An (Estimated	nount of We I quantities ba	etland Impacte sed on conceptua greatest impact	al level of desigi	t ive n; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
			Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
lx	416.6	Parallel south	0.3 ha (0.6 ac)	0	0	0	0*	0*	Avoided or minimized impacts	Project uses minimum safe distance between highway and RR crossing to avoid wetlands or minimize impacts to wetlands.
Jx	416.9	Parallel south	0*	0	0	0	0	0	Avoided	Alignment located north of wetland.
Ux	425.7	Parallel east	0.04 ha (0.1 ac)	0	0	0	0	0	Avoided	Alignment located west of wetland.
Vx	427.2	Parallel west	0.3 ha (0.7 ac)	0	0	0	0	0	Avoided	Alignment located east of wetland.
NJGG	400.6	Parallel north	0.8 ha (2.0 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJGGG	400.7	Parallel north	0*	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJH	400.7	Parallel north	0.3 ha (0.6 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJI	401.1	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJJ	401.3	Perpendicular and parallel south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.

Table H-3. Non-Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetlan	d Description		An (Estimated	nount of We I quantities ba	tland Impacte sed on conceptua greatest impact	al level of desigr	t ive n; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
			Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJL	401.9	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJMM	403.5	Parallel north	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJR	404.2	Parallel north	0.1 ha (0.4 ac)	0	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0.1 ha (0.3 ac)	0	Avoided or minimized impacts	Alignment shifted south to avoid wetland or minimize impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJS	404.4	Parallel north	0.04 ha (0.1 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJT	405.1	Parallel north	0.1 ha (0.2 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJU	405.7	Perpendicular north and south	0.1 ha (0.2 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.1ha (0.1 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJX	406.3	Parallel south	0.2 ha (0.6 ac)	0	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	0.2 ha (0.6 ac)	Cannot be avoided or minimized	
NJY	406.8	Perpendicular north and south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.



Table H-3. Non-Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetland Description				nount of We d quantities ba	tland Impacte sed on conceptu greatest impact	al level of desigr	ive n; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
			Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJZ	407.0	Parallel south	0*	0	0*	0*	0*	0*	Cannot be avoided or minimized	
NJBBB	407.2	Parallel and perpendicular south	0.2 ha (0.5 ac)	0	0.1 ha (0.4 ac)	0.1 ha (0.4 ac)	0.1 ha (0.4 ac)	0.1 ha (0.4 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJDD	408.3	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJAAA	409.9	Parallel south and perpendicular north and south	0.1 ha (0.2 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJFF	410.4	Parallel south and perpendicular north and south	0.1 ha (0.2 ac)	0	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.04 ha (0.1 ac)	0.1 ha (0.2 ac)	Minimized impacts Four-Lane Divided could not be avoided or minimized	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands. Four-Lane Divided could not be avoided or minimized.
NJMMM	411.4	Parallel south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.



Table H-3. Non-Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetlan	d Description		An (Estimated	nount of We d quantities ba	etland Impacte sed on conceptua greatest impact	al level of desigi)	tive n; assumes		
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
			Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJJJ	411.5	Parallel south and perpendicular north and south	0.7 ha (1.7 ac)	0	0.7 ha (1.7 ac)	0.7 ha (1.7 ac)	0.7 ha (1.7 ac)	0.7 ha (1.7 ac)	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJKK	411.5	Parallel south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJLL	412	Perpendicular south	0*	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJLLL	412.5	Parallel north	0.04 ha (0.1 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJII	414.5	Parallel north	0.1 ha (0.3 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJE	417.1	Parallel north	0.8 ha (1.9 ac)	0	0	0	0	0	Avoided	Alignment shifted south to avoid wetland and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJHHH	417.1	Parallel north	0.6 ha (1.5 ac)	0	0	0	0*	0.2 ha (0.4 ac)	Avoided or minimized impacts	Alignment shifted south to avoid wetland or minimize impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.

Table H-3. Non-Jurisdictional Wetland Areas, Ditches and Canals Impacts (continued)

	Wetlan	d Description				tland Impacte sed on conceptus greatest impact				
Wetland	RP#	Wetland Orientation	Total Wetland Area	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided	Avoided/ Minimized Impacts	Comments
			Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)	Hectares (Acres)		
NJSS	417.9	Parallel south and perpendicular north and south	0.1 ha (0.1 ac)	0	0*	0*	0*	0*	Minimized impacts	Project uses minimum safe distance between highway and RR crossing to minimize impacts to wetlands.
NJRR	419.3	Parallel north	1.2 ha (2.9 ac)	0	0	0	0	0.1 ha (0.2 ac)	Avoided or minimized impacts	Alignment shifted south to avoid wetland or minimize impacts and to maintain desirable distance between RR crossing and roadway for traffic safety.
NJEEE (Located on Fort Belknap Indian Res.)	428.5	Parallel east	1.0 ha (2.6 ac)	0	0	0	0	0	Avoided	Alignment located west of wetland.
TOTAL ^{1, 2}			26.9 ha (65.7 ac)	0	2.7 ha (7.0 ac)	2.7 ha (7.0 ac)	3.1 ha (7.9 ac)	4.3 ha (10.6 ac)		
Percent of Total ³				0%	10.0 %	10.0 %	11.5 %	16.0 %		

^{*}Impacts less than 0.04 ha (0.1 ac).

Source: David Evans and Associates, Inc., December 19, 2003. *US 2, Havre to Fort Belknap Biological Resources Report;* and David Evans and Associates, Inc., September 2004. *US 2, Havre to Fort Belknap Biological Resources Report Addendum.*

¹ Wetland impacts less than 0.04 (0.1 ac) are not included in total wetland impacts.

² The conversion from hectares to acres is not exact due to rounding for wetlands with small impact areas. For further detail on wetland impacts and rounding, please see the *Biological Resources Report* (DEA, December 2003).

³ Percent of total is calculated for hectares.



APPENDIX I – Section 4(f) Evaluation

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Appendix I – Section 4(f) Evaluation

Background

Section 4(f) of the 1966 Department of Transportation Act, which is codified at 49 U.S.C. § 303, and FHWA regulations found at 23 C.F.R. § 771.135 prohibit the Federal Highway Administration (FHWA) from approving the use of land from a significant publicly owned public park, recreation area, or wildlife or waterfowl refuge, or any significant historic site unless a determination is made that (1) there is no feasible and prudent alternative to the use of land from the property and (2) the action includes all possible planning to minimize harm to the property. Some examples of Section 4(f) resources include public recreation areas, such as trails, parks, and Wild and Scenic Rivers; wildlife or waterfowl refuges, and historic sites listed on or eligible for the National Register of Historic Places (NRHP).

There are two types of impacts to 4(f) properties:

- Direct impacts resulting from the taking of a portion or all of the property (i.e., land is permanently incorporated into a transportation facility or the temporary occupancy of the land has an adverse effect on the resource), and
- A "constructive use" of the property that is not a direct taking but would "substantially impair" the current use of the property (e.g., noise, air, access, vibration, or visual impacts).

Project Purpose and Need

The purpose of the US 2, Havre to Fort Belknap project is to replace the aging US 2 facility with an efficient and safe highway that will meet the needs of local communities, agriculture, industry, commerce, and tourism. In northern Montana, communities are almost solely dependent on the highway system to meet their transportation needs and to facilitate the economic health of the communities.

Proposed project improvements would improve the highway to current MDT design standards and meet the following needs:

- Provide an efficient highway to support economic vitality
- Reduce roadway deficiencies
- Improve safety
- Improve traffic operations

A more detailed description of the project purpose and need can be found in Chapter 1 of the *Environmental Impact Statement, US 2: Havre to Fort Belknap* (September 2004).



Project Alternatives

The following is a list of the project alternatives. Detailed descriptions of each of the alternatives can be found in Chapter 2 of the *Environmental Impact Statement*, *US 2: Havre to Fort Belknap*.

No-Build Alternative: No improvements to US 2 from Havre to Fort Belknap.

Improved Two-Lane Alternative: Two 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders in rural segments of the project corridor. Through the communities, the highway sections vary in response to local traffic conditions and environmental or physical constraints. In Havre, the highway section would be wider with four travel lanes and a two-way left-turn lane. Through Chinook, the highway section would remain within the existing curb lines and consist of two travel lanes and two shoulder/parking lanes. In Harlem, the highway section would consist of two travel lanes, a center two-way left-turn lane and westbound right-turn acceleration and deceleration lanes. Through Fort Belknap the highway section would remain similar to the existing condition, with two travel lanes and eastbound right-turn acceleration and deceleration lanes.

Improved Two-Lane with Passing Lanes Alternative (Preferred Alternative): Two 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders with an intermittent 3.6 m (12 ft) third passing lane spaced every eight to thirteen km (five to eight mi) in each direction. The typical section would differ in communities. Through the communities, the highway sections vary in response to local traffic conditions and environmental or physical constraints. In Havre, the highway section would be wider with four travel lanes and a center two-way left-turn lane. Through Chinook, the highway would remain within the existing curb lines and consist of two travel lanes, a center two-way left-turn lane, and a shoulder/parking lane. In Harlem, the highway section would consist of two travel lanes, a center two-way left-turn lane and westbound right-turn acceleration and deceleration lanes. Through Fort Belknap the highway section would remain similar to the existing condition, with two travel lanes and eastbound right-turn acceleration and deceleration lanes.

Four-Lane Undivided Alternative: Four 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders in rural segments of the project corridor. The typical section would differ in communities. Through Havre, the highway section would consist of four travel lanes and a center two-way left-turn lane. Through Chinook, the section would consist of four travel lanes and two shoulder/parking lanes with limited parking in designated areas. Through Harlem, the highway section would consist of four travel lanes and a center two-way left-turn lane. Westbound right-turn lanes would be added in a portion of the segment. Through Fort Belknap, the highway section would transition from the improved four-lane to the existing two-lane section east of MT Highway 66.

Four-Lane Divided Alternative: Four 3.6 m (12 ft) travel lanes and 2.4 m (8 ft) shoulders, divided by an 11 m (36 ft) landscaped median and 1.2 m (4 ft) inside shoulders in the rural segments of the project corridor. The typical section would differ in communities. Through



Havre, the highway section would consist of four travel lanes and a center two-way left-turn. No median would be provided in Havre. Through Chinook, the four-lane section would consist of four travel lanes, a center two-way left-turn lane, and two shoulder/parking lanes with limited parking in designated areas. The highway centerline would shift approximately 23 m (75 ft) south to provide an increased railroad crossing offset at Indiana Street. Through Harlem, the highway section would consist of four travel lanes and a center two-way left-turn lane. Westbound right-turn lanes would be added in a portion of the segment. Through Fort Belknap, the highway section would transition from the improved four-lane to the existing two-lane section east of MT Highway 66.

Section 4(f) Resources: Cultural Resources

Table 1 provides an overview of the 16 historic resources located in the project area (listed from west to east along the project corridor) that are either listed on or eligible for the NRHP and one historic property not formally evaluated but covered under a Programmatic Agreement. Table 1 also identifies if there is a "use" of these resources to permanently incorporate the land into a transportation facility (as defined by 23 CFR 771.135) for each project alternative. Figure 1 (Sheets 1 through 6) illustrates the locations of these historic sites. More detailed descriptions and evaluation of the applicability of Section 4(f) to the properties are included below. A summary of the impacts resulting in a use of the resource from this proposed project is presented in Table 2. FHWA is the agency responsible for the final determinations on Section 4(f).

One resource, because of stipulations of existing Programmatic Agreements among the Montana SHPO, Advisory Council on Historic Preservation, FHWA, and MDT, was not evaluated for significance as a part of compliance with Section 106 of the National Historic Preservation Act. This resource includes two segments of the US 2 Highway. For the purposes of the 4(f) Evaluation, these sites were treated as NRHP-eligible sites. Summaries of the "use" of these sites are included in Table 1 and described along with the NRHP-eligible or listed sites.



Table 1. Cultural Resources Evaluated for Section 4(f) within the Project Area

Site No. (Name)	Period (Date)	Location	NRHP Status	Summary of Section 4(f) Use by Alternative
24BL1574 (24BL1543) (Great Northern Railroad) 24HL942 (Burlington	Historic (1887)	Full length of the railroad through Blaine County and Hill County, North of US 2 and existing railroad	Listed	No use under any alternative
Northern – Santa Fe Railway)				
24HL1133 (Sunset Drive-In Theater)	Historic (1948)	East end of Havre, Montana	Eligible	Results in use under all build alternatives
24BL1248 (Bear Paw Court Motel)	Historic (1951)	North and south sides of Second Street at intersection of Montana Street in Chinook	Eligible	Results in use by Four-Lane Divided Alternative
24BL1728 (Chinook grain elevator complex)	Historic (1952 to 1978)	North of US 2 in Chinook	Eligible	No use under any alternative
24BL1729 (GTA Feed Mill grain elevator complex)	Historic (1947 to 1954)	North of US 2 in Chinook, immediately west of old railroad depot	Eligible	No use under any alternative
24BL1251 (Jamieson Motors)	Historic (1910)	Southeast corner of US 2 & Pennsylvania Street in Chinook	Eligible	Results in use by both four-lane alternatives
24BL1254 (Pehrson's Exxon)	Historic (1951)	Southeast corner of US 2 & Illinois Street in Chinook	Eligible	Results in use by both four-lane alternatives
24BL981 (24BL1050) (Lodge Creek Bridge)	Historic (1942)	Just east of Chinook	Eligible	Results in use under all build alternatives
24BL1146 (Battle Creek Bridge)	Historic (1915)	West of Zurich and north of BNSF Railway	Eligible	No use under any alternative.
24BL1726 (Burns Farmstead)	Historic (1910)	Directly south of Zurich, south of US 2	Eligible	No use under any alternative
24BL1725 (Zurich grain elevator complex)	Historic (1915 to 1975)	North of US 2 on the east edge of Zurich	Eligible	No use under any alternative
24BL1731 (Fifteen Mile Creek Bridge)	Historic (1949)	1 km (0.6 mi) east of Zurich on US Highway 2 at Fifteen Mile Creek	Eligible	Results in use under all build alternatives



Table 1. Cultural Resources Evaluated for Section 4(f) within the Project Area (continued)

Site No. (Name)	Period (Date)	Location	NRHP Status	Summary of Section 4(f) Use by Alternative
24BL1541 (Vincent Pefaur Farmstead)	Historic (1920- 1952)	5.6 km (3.5 mi) northwest of Harlem, south of US 2	Eligible	Results in use under all build alternatives
24BL1542 (Knute and Ardele Kulbeck Farmstead)	Historic (early/mid 1900s)	4 km (2.5 mi) northwest of Harlem, south of US 2	Eligible	Results in use under all build alternatives
24BL838 (Harlem – Snake Butte Railroad)	Historic (1936- 1937)	Harlem/Fort Belknap	Eligible	Results in use under all build alternatives
24BL1351 (24BL943) (Harlem Canal)	Historic (1903)	Canal starts 2.4 km (1.5 mi) east of Zurich and flows east, terminating 9.6 km (6 mi) east of Harlem (total canal length is 29 km (18 mi))	Eligible	Results in use under all build alternatives
24BL1573 and 24HL1128 (US 2 Highway)	Historic	Full length of the project corridor in Blaine and Hill Counties	Not Formally Evaluated*	Results in use under all build alternatives

^{*}Programmatic Agreements abrogate the need to evaluate NRHP eligibility, assess impacts, or mitigate effects for road segments in Montana under Section 106 of the National Historic Preservation Act. However, for the purposes of the 4(f) evaluation, these resources were treated as NRHP-eligible.

Source: Compiled by DEA from Ethnoscience, 2003. Fort Belknap to Havre: A Cultural Resource Inventory Along US Highway 2.



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 Table 2.
 Summary of Section 4(f) Impacts for Individual Sites

				Alternatives				
Site No. (Name)	Period (Date)	Location	NRHP Status	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided
24HL1133 (Sunset Drive-In Theater)	Historic (1948)	East of Havre City Limits, south side of US 2	Eligible	No Section 4(f) use	Approximately 0.01 ha (0.02 ac) could be regraded near the access and may become part of highway right-of-way.	Approximately 0.01 ha (0.02 ac) could be regraded near the access and may become part of highway right-of-way.	Approximately 0.01 ha (0.02 ac) could be regraded near the access and may become part of highway right-of-way.	Approximately 0.01 ha (0.02 ac) could be regraded near the access and may become part of highway right-of-way.
24BL1248 (Bear Paw Court Motel)	Historic (1951)	North and south sides of Second Street at intersection of Montana Street in Chinook	Eligible	No Section 4(f) use	Buildings and sign are outside the ROW and construction limits. No Section 4(f) use.	Buildings and sign are outside the ROW and construction limits. No Section 4(f) use.	Buildings and sign are outside the ROW and construction limits. No Section 4(f) use.	Motel sign removed because it is in proposed ROW, resulting in Section 4(f) use. The motel is not impacted.
24BL1251 (Jamieson Motors)	Historic (1910)	Southeast corner of First Street & Pennsylvania Street in Chinook	Eligible	No Section 4(f) use	Building outside ROW and construction limits. No Section 4(f) use.	4(f) use.	,	Building removed resulting in Section 4(f) use.
24BL1254 (Pehrson's Exxon)	Historic (1951)	Southeast corner of First Street & Illinois Street in Chinook	Eligible	No Section 4(f) use	Building outside ROW and construction limits. No Section 4(f) use.	Building outside ROW and construction limits. No Section 4(f) use.	Building removed resulting in Section 4(f) use.	Building removed resulting in Section 4(f) use.
24BL981 (24BL1050) (Lodge Creek Bridge)	Historic (1942)	Just east of Chinook	Eligible	No Section 4(f) use	Bridge demolished if new owner is not found, resulting in Section 4(f) use.	Bridge demolished if new owner is not found, resulting in Section 4(f) use.	Bridge demolished if new owner is not found, resulting in Section 4(f) use.	Bridge demolished if new owner is not found, resulting in Section 4(f) use.
24BL1731 (Fifteen Mile Creek Bridge)	Historic (1949)	1 km (0.6 mi) east of Zurich on US Highway 2 at Fifteen Mile Creek	Eligible	No Section 4(f) use	Bridge demolished if new owner not found, resulting in Section 4(f) use.	Bridge demolished if new owner not found, resulting in Section 4(f) use.	Bridge demolished if new owner not found, resulting in Section 4(f) use.	Bridge demolished if new owner not found, resulting in Section 4(f) use.
24BL1541 (Vincent Pefaur Farmstead)	Historic (1920- 1952)	5.6 km (3.5 mi) northwest of Harlem, south of US 2	Eligible	No Section 4(f) use	6 of the 9 historic buildings and 0.3 ha (0.7 ac) impacted resulting in Section 4(f) use.	6 of the 9 historic buildings and 0.3 ha (0.7 ac) impacted resulting in Section 4(f) use.	6 of the 9 historic buildings and 0.3 ha (0.7 ac) impacted resulting in Section 4(f) use.	6 of the 9 historic buildings and 0.4 ha (0.9 ac) impacted resulting in Section 4(f) use.
24BL1542 (Knute and Ardele Kulbeck Farmstead)	Historic (early- mid 20 th century)	4 km (2.5 mi) west of Harlem, south of US 2	Eligible	No Section 4(f) use	No historic structures impacted; 0.25 ha (0.6 ac) impacted resulting in Section 4(f) use.	No historic structures impacted; 0.25 ha (0.6 ac) impacted resulting in Section 4(f) use.	No historic structures impacted; 0.3 ha (0.7 ac) impacted resulting in Section 4(f) use.	No historic structures impacted; 0.3 ha (0.8 ac) impacted resulting in Section 4(f) use.
24BL838 (Harlem – Snake Butte Railroad)	Historic (1936- 1937)	Harlem/Fort Belknap (total length 22.5 km (14 mi))	Eligible	No Section 4(f) use	Requires acquisition and construction on an additional 530 m ² (5,705 ft ²) of the railroad grade, resulting in Section 4(f) use.	Requires acquisition and construction on an additional 530 m ² (5,705 ft ²) of the railroad grade, resulting in Section 4(f) use.	Requires acquisition and construction on an additional 695 m ² (7,841 ft ²) of the railroad grade, resulting in Section 4(f) use.	Requires acquisition and construction on an additional 737 m ² (7,933 ft ²) of the railroad grade, resulting in Section 4(f) use.
24BL1351 (24BL943) (Harlem Canal)	Historic (1903)	Starts 2.4 km (1.5 mi) east of Zurich and flows east, terminating 9.6 km (6 mi) east of Harlem	Eligible	No Section 4(f) use	The existing culvert would be replaced with a longer culvert, thus, incorporating some of the canal into the roadway resulting in a Section 4(f) use.	The existing culvert would be replaced with a longer culvert, thus, incorporating some of the canal into the roadway resulting in a Section 4(f) use.	The existing culvert would be replaced with a longer culvert, thus, incorporating some of the canal into the roadway resulting in a Section 4(f) use.	The existing culvert would be replaced with a longer culvert, thus, incorporating some of the canal into the roadway resulting in a Section 4(f) use.
24BL1573 and 24HL1128 (US 2 Highway)	Historic	Full length of project corridor	Not formally evaluated	No Section 4(f) use	Roadway widening results in Section 4(f) use.			

Source: Compiled by DEA from Ethnoscience, 2002. Fort Belknap to Havre: A Cultural Resource Inventory Along US Highway 2.



Site 24BL1574 (24BL1543)/ 24HL942, Great Northern Railroad/Burlington Northern-Santa Fe Railway

<u>Description of 24BL1574 (24BL1543) Resource</u>. Site 24BL1574/24BL1543 is a segment of the Great Northern Railroad that is currently listed on the NRHP. Its historic features include rails, ties, signals, and bridges. The site is significant for its association with the settlement and economic development of agriculture and copper mining in this region of Montana during the late nineteenth century. The bridges are important because the reinforced concrete construction is distinctive of this period.

<u>Impacts</u>. The Great Northern Railroad would not be impacted by any of the project build alternatives. The railroad runs parallel to US 2 but would not be affected by construction or operation of the reconstructed roadway. Elements of the old railroad are north of the existing railroad and farther outside the area of impact. The railroad provides a physical (and safety) constraint for the operation of the highway. For all project alternatives, the existing offset with the railroad is maintained or increased. There would, therefore, be no impact to this 4(f) resource.

<u>Description of 24HL942 Resource</u>. Site 24HL942 is the portion of the BNSF Railway in Hill County. It is listed on the NRHP for its association with the settlement and economic development of Montana. The site consists of several features including bridges, signals, and a pole line.

<u>Impacts</u>. The BNSF Railway would not be impacted by any of the project build alternatives. The railroad runs parallel to US 2 but would not be affected by construction or operation of the reconstructed roadway. Elements of the old railroad are north of the project area (and north of the existing railroad) and would not be directly impacted by any of the project build alternatives. There would be no impact to this 4(f) resource.

Site 24HL1133, Sunset Drive-In Theater

<u>Description of Resource</u>. The Sunset Drive-In Theater is located at the east end of Havre. There are five features associated with the site, including two movie screen foundations, a standing movie screen, a movie project building/snack bar, and a ticket booth. Drive-ins represent a significant part of American culture and identity, and the Sunset Drive-In is a well-preserved and complete example of a drive-in movie theater.

<u>Impacts</u>. At the Sunset Drive-In Theater, a very small (0.01 ha [0.02 ac]) area would be regraded at the access for all alternatives. None of the historic features would be impacted by implementation of any of the alternatives, and there would be no temporary or permanent change to the historic features as a result of this regrading. Until final design is completed, it cannot be determined whether this regraded area would become a permanent part of the highway right-of-way; therefore, for this evaluation, it is assumed that a Section 4(f) use occurs.



Site 24BL1248, Bear Paw Court Motel

<u>Description of Resource</u>. The Bear Paw Court Motel is located in Chinook. It consists of two U-shaped, flat-roofed, stucco finished structures and an original neon roadway sign. The motel was constructed in 1951, and with the exception of the addition of a laundry room in 1953, remains unaltered from its original construction. Roadside motels from this era once common throughout rural Montana are now quite rare. The Bear Paw Court Motel units are located on the north and south sides of Second Street east of Montana Street in Chinook. The neon sign, set back from US 2, is located north of the motel.

<u>Impacts</u>. The Bear Paw Court Motel would not be impacted by the Improved Two-Lane, Improved Two-Lane with Passing Lanes, or Four-Lane Undivided Alternatives because the motel, located one block south of US 2, and the sign are outside the right-of-way and cut and fill areas for these alternatives. The Four-Lane Divided Alternative would impact the neon sign, requiring its removal, because it would be in the right-of-way, resulting in a Section 4(f) use. The neon sign is not currently located on the motel property but on land north of the motel. Operation of the motel would not be affected by the implementation of this alternative, because the motel is one block south of US 2.

Site 24BL1728, Chinook Grain Elevator Complex

Description of Resource. Site 24BL1728 is a grain elevator complex in Chinook consisting of six features. Most of the structures were built in 1952, a time of economic boom in the area. Grain elevators located along the rail lines were a significant element to the agricultural industry in the area as rail was the primary way that grain was shipped out of the area both east and west to reach markets.

<u>Impacts</u>. The Chinook Grain Elevator complex would not be impacted by any of the project build alternatives. It is outside the right-of-way and cut-and-fill areas for all of the alternatives. The existing curb line would be maintained, and the resource would remain unchanged in relation to the highway. There would be no use of this property and, therefore, no impact to this 4(f) resource.

Site 24BL1729, GTA Feed Mill Grain Elevator

Description of Resource. Site 24BL1729 is a grain elevator complex in Chinook consisting of five features constructed between 1947 and 1954. Like Site 24BL1728, it is associated with the agricultural and economic boom of agriculture in the area during mid twentieth century and the importance of rail shipping of agricultural products to markets east and west.

<u>Impacts</u>. The GTA Feed Mill Grain Elevator complex would not be impacted by any of the project build alternatives. It is outside the right-of-way and cut-and-fill areas for all of the alternatives. The elevator's current location is north of the highway, and none of the proposed build alternatives would widen the highway to the north of the existing curb line. There would be no use of this property and, therefore, no impact to this 4(f) resource.



Site 24BL1251, Jamieson Motors

<u>Description of Resource</u>. The Jamieson Motors garage is located in Chinook. The building was constructed in 1910 on the southeast corner of First Street (US 2) and Pennsylvania Street. The building has been virtually unaltered from its original construction and also retains two original neon signs. The building is considered an excellent example of an early twentieth century automotive-related architecture.

<u>Impacts</u>. The Jamieson Motors garage would not be impacted by implementation of the Improved Two-Lane or Improved Two-Lane with Passing Lanes Alternatives. The structure and surrounding property are outside the impact area; right-of-way is within the existing curb line for both two-lane alternatives. Right-of-way requirements for the Four-Lane Undivided and Four-Lane Divided Alternatives would require removal of the building. These impacts would result in a Section 4(f) use.

Site 24BL1254, Pehrson's Exxon

<u>Description of Resource</u>. Pehrson's Exxon is located in Chinook at the southeast corner of First Street (US 2) and Illinois Street. The gas station, which was originally a Texaco station, is plain in styling but has been virtually unaltered and is an excellent example of a 1950s era roadside gas station architecture.

Impacts. Pehrson's Exxon gas station would not be impacted by implementation of the Improved Two-Lane or Improved Two-Lane with Passing Lanes Alternatives. The structure and surrounding property are outside the impact area; right-of-way is within the existing curb line. Right-of-way requirements for the Four-Lane Undivided and Four-Lane Divided Alternatives would require removal of the building. These impacts would result in a Section 4(f) use.

Site 24BL981 (24BL1050), Lodge Creek Bridge

<u>Description of Resource</u>. Lodge Creek Bridge is a three-span reinforced concrete T-beam bridge with an overall length of 28.7 m (94 ft) and a roadway width of 8.5 m (28 ft). The bridge was constructed in the early 1940s and is representative of a standard MDT design constructed between 1920 and 1961.

<u>Impacts</u>. Lodge Creek Bridge would require replacement under any of these alternatives because it is functionally obsolete (too narrow). This replacement would result in Section 4(f) use if the bridge is demolished.

Site 24BL1146, Battle Creek Bridge

<u>Description of Resource</u>. Battle Creek Bridge is a single-span pin-connected Pratt through truss constructed in 1915. Truss bridges contain truss work above and along the roadway, making the support structure visible from the roadway. The bridge is an excellent example of a Pratt through truss, which was a standard MDT design from 1900 through 1925.



<u>Impacts</u>. Battle Creek Bridge would not be impacted by any of the project build alternatives. It is north of the BNSF Railway and therefore it is outside the right-of-way and cut and fill areas for all of the alternatives. There would be no direct use of this property and it is not located adjacent to the proposed project. There is no use of this Section 4(f) resource by this proposed project.

Site 24BL1726, Burns Farmstead

<u>Description of Resource</u>. The Burns Farmstead is an occupied farmstead of approximately 1.6 ha (4 ac) with 17 features, including a house, barns, sheds, chicken coop, granary, grain bin, and others. Most of the features date between 1910 and 1940, but the only NRHP-eligible historic feature on the site is the livestock barn (Feature 2), which is a well-known local landmark and subject of many artistic renderings.

<u>Impacts</u>. The Burns Farmstead barn would not be impacted by any of the project build alternatives. It is outside the right-of-way and cut-and-fill areas for all of the alternatives. There would be no direct use of this property. In the widest cross section (the four-lane alternatives), the roadway would be 32 m (105 ft) from the farmstead structures and would not impact the historic setting or integrity of the property. There would be no use of this property, and therefore no impact to this 4(f) resource.

Site 24BL1725, Zurich Grain Elevator Complex

<u>Description of Resource</u>. Site 24BL1725 is a grain elevator complex consisting of five features: two grain elevators, a grain bin, an office, and an outhouse. It is located in Zurich on the north side of US 2 and was constructed in the early part of the twentieth century. The property is associated with early agricultural and economic development of Zurich and the surrounding region. Grain shipments were vital to the survival of the town of Zurich.

<u>Impacts</u>. The Zurich Grain Elevator complex would not be impacted by any of the project build alternatives. It is outside the northern boundary of the right-of-way and cut-and-fill areas for all of the alternatives. The existing northern right-of-way limit would be maintained, and the resource would remain unchanged in relation to the highway. There would be no use of this property and, therefore, no impact to this 4(f) resource.

Site 24BL1731, Fifteen Mile Creek Bridge

<u>Description of Resource</u>. The Fifteen Mile Creek Bridge is a two-span continuous steel stringer bridge with a concrete deck and piers. It measures 32.9 m (108 ft) in length with a roadway width of 8.5 m (28 ft). It was completed in 1949 after two years under construction, which was delayed because of difficulty obtaining material and labor to complete the project. It is an excellent and rare example of a steel stringer bridge in Montana.

<u>Impacts</u>. Fifteen Mile Creek Bridge under all build alternatives would require replacement because it is too narrow. This replacement would result in a Section 4(f) use if the bridge is demolished.



Site 24BL1541, Vincent Pefaur Farmstead

<u>Description of Resource</u>. The Vincent Pefaur Farmstead is located on the south side of US 2 in the Milk River Valley, approximately 5.6 km (3.5 mi) northwest of Harlem. The family-operated farmstead was originally deeded in 1899 and has had three owners; the current owner has owned the property since 1932. There are nine features on the property, including houses, outbuildings, storage, and a granary. It is important for its association with the sugar beet industry and as a well-preserved example of an early twentieth century farm.

<u>Impacts</u>. The Vincent Pefaur Farmstead would be directly impacted by all of the project build alternatives. Six of the nine historic features would be impacted by all of the alternatives. In addition, the Improved Two-Lane, Improved Two-Lane with Passing Lanes, and the Four-Lane Undivided Alternatives would require use of approximately 0.3 ha (0.7 ac) or 8 percent of the site property. The Four-Lane Divided Alternative would require use of an additional 0.1 ha (0.2 ac) of property for a total use of 0.4 ha (0.9 ac), or 11 percent, of the site property. Loss of the historic features would adversely affect the integrity of the site and would render the property unusable for its historic function. These impacts would result in a Section 4(f) use for all build alternatives.

Site 24BL1542, Knute and Ardele Kulbeck Farmstead

<u>Description of Resource</u>. The Knute and Ardele Kulbeck Farmstead is located on the south side of US 2 in the Milk River Valley, approximately 4 km (2.5 mi) northwest of Harlem. The site consists of a modern farmhouse and associated features. The historic features on the property consist of a barn and milkhouse, which date to early/mid twentieth century. The barn is one of the largest remaining examples of early barn design in the area.

Impacts. All of the project build alternatives would require use of some portion of the Knute and Ardele Kulbeck Farmstead, although no structures would be impacted. The Improved Two-Lane and Improved Two-Lane with Passing Lanes Alternatives would require use of approximately 0.25 ha (0.6 ac) or 23 percent of the site property. The Four-Lane Undivided would require use of approximately 0.3 ha (0.7 ac) or 26 percent of the site property. The Four-Lane Divided Alternative would require use of 0.3 ha (0.8 ac), or 29 percent, of the site property. The property used for all alternatives is located adjacent to the existing US 2 and is not used for farming operations. The nearest structure is currently offset 40 m (131 ft) from the highway. Under both of the two-lane alternatives and the Four-Lane Undivided Alternative, the nearest structure would be 30 m (98 ft) from the highway. For the Four-Lane Divided Alternative, the nearest structure would be 20 m (65 ft) from the highway.

Loss of the property adjacent to the roadway does not adversely affect the historic integrity of the site because the historic importance of the site is associated with its structures, and none of the structures is impacted. All build alternatives would impact this site resulting in a Section 4(f) use.



Site 24BL838, Harlem-Snake Butte Railroad

<u>Description of Resource</u>. The Harlem-Snake Butte Railroad site consists of a 22.5 km (14 mi) spur to the Great Northern Railroad. US 2 crosses this site which is south of Harlem. Construction of the spur, which was built to transport rock removed from Snake Butte to be used for the construction of the Fort Peck Dam, began in 1936 and was finished in 1937. The spur operated for two years, was sold, and subsequently abandoned. In 1939, the tracks and rails as well as the trestle bridges were removed.

<u>Impacts.</u> The Harlem-Snake Butte Railroad site would be impacted by the Improved Two-Lane, Improved Two-Lane with Passing Lanes, Four-Lane Undivided or Four-Lane Divided Alternatives. The existing alignment of US 2 crosses this site. Widening of the highway crossing would increase the degree of impact to the site but would not further affect the historic integrity of the site.

The existing highway impacts 334 m^2 (3,595 ft²) of the site. The Improved Two-Lane and Improved Two-Lane with Passing Lanes Alternatives would result in the use of an additional 530 m^2 (5,705 ft²) of the site. The total site is 22.5 km (14 mi) long by approximately 12 m (39 ft) wide in area (270,372 m² [2,910,260 ft²]). These alternatives would impact a fraction of the already disturbed total site.

The Four-Lane Undivided Alternative would result in the use of an additional 695 m^2 $(7,481 \text{ ft}^2)$ of the site. The Four-Lane Divided Alternative would result in the use of an additional 737 m^2 $(7,933 \text{ ft}^2)$. Like both two-lane alternatives, the four-lane alternatives would impact a negligible fraction of the site. All build alternatives would impact this site resulting in a Section 4(f) use.

Site 24BL1351 (24BL943), Harlem Canal

<u>Description of Resource</u>. The Harlem Canal is an operational irrigation water delivery system. The beginning of the canal is 2.4 m (1.5 mi) east of Zurich and flows east between US 2 and the Milk River. At the town of Harlem, the canal runs between the existing railroad and the Milk River. The terminus of the canal is 9.7 km (6 mi) east of Harlem. The total canal length is 29 km (18 mi). The Bureau of Reclamation established the Harlem Canal in 1903 as part of the Milk River Project, which was the first irrigation project in Montana under the US Reclamation Service.

<u>Impacts</u>. All of the project build alternatives would impact the site from the replacement of the box culvert/bridge structure and other grading activities. Impacts would be the same for the Improved Two-Lane, Improved Two-Lane with Passing Lanes, Four-Lane Undivided, and Four-Lane Divided Alternatives. Replacement of the box culvert/bridge structure may be necessary to properly accommodate irrigation requirements and the proposed roadway width. Approximately 50 linear meters (164 linear feet) would be disturbed during construction activities. Because no rechanneling or permanent disruption in operation or function of the site would occur, this disturbance would not affect the historic integrity of the site. Disruption



of the canal operation would be temporary and only occur during the construction period. Although no longer in effect, a previous Programmatic Agreement among FHWA, ACHP, and Montana SHPO regarding the Treatment of Historic Irrigation Ditches Affected by Highway Construction in Montana considered elements such as culverts to be a roadway rather than irrigation element. Consequently, these structures were not considered significant to the historic integrity of the site.

For all build alternatives, the existing culvert/bridge structure may need to be replaced with a longer culvert to accommodate the wider roadway. The length of the new culvert would be determined during final design. The additional sections of canal that would be replaced with a culvert would become incorporated into the roadway, and therefore, result in a Section 4(f) use.

Sites 24BL1573 and 24HL1128, US Highway 2

<u>Description of Resource</u>. The route for US 2 was first surveyed in 1853 although funding for construction was not allocated until 1919. The 4.8-m (16-ft) gravel roadway was the primary route for travelers heading to the gold fields. In 1926, the Blaine County segment of the highway became the first paved portion of the Hi-Line. In 1946, the highway was rebuilt to its present alignment.

Impacts. All of the project alternatives are generally along the existing highway corridor. None would result in major realignment of the highway or change its historic route. It would continue to be physically and thematically connected to the Hi-Line. This facility is covered under a Programmatic Agreement with Montana SHPO, Advisory Council on Historic Preservation, FHWA, and MDT. All the project build alternatives would require reconstruction of US 2. Activities included in reconstruction include excavation, widening, regrading and repaving. Generally, the historic US 2 alignment is either on the existing US 2 alignment or slightly north between the current highway and railroad where there are a few highway roadbed remnants. Although the proposed highway alignment for the build alternatives will not move closer to the railroad, the remaining roadbed remnants could be impacted from regrading or construction activities and become part of the US 2 highway roadway prism. These impacts to sites 24BL1573 and 24HL1128 would result in a Section 4(f) use.

Section 4(f) Resources: Parks, Recreational Areas, and Wildlife or Waterfowl Refuges

Section 4(f) also applies to significant publicly owned public parks and recreation areas. The bike path in Blaine County was evaluated but did not meet the definition of 4(f) resources, as explained below. Two city parks within the project area would meet the definition for 4(f) resources but are not impacted by any of the project build alternatives, as explained below. Nor are there any impacts to recreational resources in the Blaine County Fairgrounds.



The Blaine County bike path (built in memory of Gary Steffenmeier) was constructed in 1996 and is owned and maintained by Blaine County. It was constructed with Community Transportation Enhancement Program (CTEP) funds and is considered part of the transportation system rather than a recreational resource (see attachment on CTEP Project Proposal). Therefore, it does not meet the definition of a 4(f) resource.

There are no wildlife or waterfowl refuges in the project area.

Blaine County Fairgrounds, Chinook

Description of Resource. Section 4(f) is not applicable to publicly-owned fairgrounds that function primarily for commercial purposes, such as annual fairs. However, when fairgrounds are open to the public and function primarily for public recreation other than an annual fair, Section 4(f) applies to those portions of land determined significant for recreational purposes. The Blaine County Fairgrounds are located south of US 2 immediately west of Chinook. The Fairgrounds are used for the county fair each year, and clubs such as riding groups and 4H use the arena in the summer. The arena is open to the public at all times and is used for public recreation such as riding. The county property on which the fairgrounds is located is 23.6 ha (58.3 ac). The developed portion of the fairgrounds, which includes the arena, livestock buildings, stables and other buildings, is located in the southeast corner of this site approximately 190 m (620 ft) from the US 2 right-of-way; this area occupies approximately 40 percent of the site area. The remaining 60 percent of the site (adjacent to US 2) is a vacant undeveloped parcel. The buildings and fairgrounds are accessed via the intersection of Montana Street and Third Street in Chinook, which is several blocks south of US 2.

Impacts. There is no impact to this parcel for either of the two-lane alternatives. The area impacted by the four-lane alternatives is a vacant undeveloped area of county-owned land northwest of the fairgrounds and rodeo arena. The Four-Lane Undivided Alternative impacts 4 m² (43 ft²) and the Four-Lane Divided Alternative impacts 1,020 m² (10,979 ft²) of the county parcel. These alternatives are 175 m (574 ft) to 161 m (528 ft) from the closest building. This impacted area of the property is not used for recreation purposes and is not a significant recreation area as verified by Blaine County Commissioners (see attached concurrence letter, dated June 8, 2004). Therefore, this portion of the county-owned parcel does not meet the definition of Section 4(f) use of a recreation area.

Lions Memorial Park, Harlem

<u>Description of Resource</u>. Lions Memorial Park in Harlem is located at the northeast corner of the intersection of Main Street with US 2. The park consists of an entry marker, memorial stones, and flags, and includes a picnic area. The park is set back from the highway and is not easily seen from US 2.

<u>Impacts</u>. Lions Memorial Park would not be impacted by any of the project build alternatives. It is outside the right-of-way and cut-and-fill areas for all of the alternatives and would not experience increased noise or visual intrusion from the construction or operation of



the new facility. There would be no use of this property, and therefore no impact to this 4(f) resource.

Centennial Park, Chinook

<u>Description of Resource</u>. The Chinook Centennial Park is located on the southeast corner of the intersection of Second Avenue and Indiana Street, one block south of US 2. Indiana Street functions as Chinook's "Main Street" between Second and Fourth Avenues, and this park provides an entry feature to the downtown area. The park consists of a wide lawn and landscaping, with a shelter structure and picnic tables.

<u>Impacts</u>. The Chinook Centennial Park would not be impacted by any of the project build alternatives. It is outside the right-of-way and cut-and-fill areas for all of the alternatives and would not experience increased noise or visual intrusion from the construction or operation of the new facility. There would be no use of this property, and therefore no impact to this 4(f) resource.

Avoidance Alternatives

The four build alternatives use some Section 4(f) land. The use at each specific site was summarized in Table 2. The overall assessment of the impact for each alternative is presented in Table 3.

Although the No-Build Alternative does avoid impacts to Section 4(f) resources, it is not a prudent alternative because existing highway inefficiencies, safety, roadway deficiency, and traffic operations conditions would not be addressed. The roadway's narrow shoulders and bridges, steep side slopes, inadequate clear zones, and sharp curves would remain. The inadequate offset of US 2 from the railroad at railroad crossings would continue. Therefore, trucks crossing the railroad tracks and turning onto US 2 would continue to wait on the railroad tracks before turning onto the highway. Vehicles turning off of US 2 would continue to stop in the through travel lane of US 2 while trains are passing. These conditions result in safety problems and accident rates higher than the statewide average. Current traffic operations also exacerbate these safety problems. There are no turning acceleration/deceleration lanes in the corridor, further exacerbating safety problems because the high-speed regional traffic is not separated from lower speed turning local traffic. The lack of turning lanes also results in inefficient highway travel because the through traffic must either slow or stop if it is behind turning traffic. This affects the movement of goods, including the transport of agricultural goods to rail, and the local residents traveling between the corridor communities. US 2 plays a vital role in sustaining the region's economy because much of the business activity in the area relies on US 2 to carry goods and people. The lack of shoulders also affects the efficiency of travel for emergency vehicles traveling between the communities because other vehicles cannot pull out of the main travel lane to allow the emergency vehicles to pass. With the No-Build Alternative, these travel inefficiencies, roadway deficiencies, safety, and traffic operation conditions would not be addressed, therefore, the No-Build Alternative is not a prudent alternative.



Table 3. Summary of Section 4(f) Impacts by Alternative

	Alternatives				
	No-Build	Improved Two-Lane	Improved Two-Lane with Passing Lanes (Preferred Alternative)	Four-Lane Undivided	Four-Lane Divided
Uses Section 4(f) Land	No	Yes	Yes	Yes	Yes
Harm to Section 4(f) sites (after mitigation)	None	Least (5 historic sites, potentially 2 historic bridges, and potentially 1 historic site)	Least (same as Improved Two-Lane)	Medium (7 historic sites, potentially 2 historic bridges, and potentially 1 historic site)	Greatest (8 historic sites, potentially 2 historic bridges, and potentially 1 historic site)

As discussed in Chapter 2 of the EIS, other alignment alternatives were considered that would avoid all or some of these sites. These alternatives included a Southern Corridor Bypass (see Section 2.8.1), which would avoid all the Section 4(f) sites. The Chinook Southern Bypass (see Section 2.8.2) would avoid the Section 4(f) impacted sites in Chinook: 24BL1248 (Bear Paw Court Motel), 24BL1251 (Jamieson Motors), 24BL1254 (Pehrson's Exxon), and 24BL981/24BL1050 (Lodge Creek Bridge). These alternatives were not prudent because similar to the No-Build Alternative, the bypass alternatives would not address the existing safety, roadway deficiency, and traffic operation problems. In addition, these alternatives were not prudent because they would not fulfill the project purpose to provide an efficient highway to support economic vitality. In accordance with the Montana Code Annotated (MCA) 60-2-211, a highway bypass cannot be constructed without the consent of the bypassed communities. The communities of Chinook and Harlem passed resolutions refusing consent to the bypass alternatives due to their concern about potential adverse economic impacts resulting from a bypass. For the reasons stated above, the bypass alternatives are not prudent alternatives for avoiding the Section 4(f) resources.

The following is information on specific location alternatives and design shifts considered for the avoidance of specific 4(f) resources.

Site 24HL1133, Sunset Drive-In Theater. Site 24HL1133 may be impacted by implementation of any of the build alternatives. Minor regrading of the entrance would be necessary and would result in minimal impact to this site. Shifting the alignment to the north to avoid this site was investigated. However, this shift to the north would impact five residences in the mobile home park to the northeast of the Sunset Drive-In. This area of Havre has been identified by local officials as a low-income neighborhood and, therefore, impacts to this area could become an environmental justice issue (per Executive Order 12898) if they are considered disproportionately high and adverse compared to effects suffered by the



non-low-income population. It is unlikely that these mobile home residences would be able to relocate within the development because the individual residential sites are all occupied. In addition, it would be difficult to expand the mobile home development because the site is constrained by existing development on the east and west and steep topography and the railway to the north.

Therefore, shifting the alignment north and impacting these residences was not a prudent alternative.

This site could also be avoided by not regrading the drive-in access; however, this alternative is not prudent because it would adversely impact the safety of the access.

<u>Site 24BL1248, Bear Paw Court Motel</u>. Site 24BL1248 would be impacted by implementation of the Four-Lane Divided Alternative. The Improved Two-Lane, Improved Two-Lane with Passing Lanes, and the Four-Lane Undivided Alternatives avoid impacting this site.

Implementation of the Four-Lane Divided Alternative would require removal of the neon sign, which is a historic feature of Site 24BL1248, although it is not located on property owned by the motel (the motel rents the space on which the sign is located from the property owner south of the motel property). Realigning the roadway to miss this feature would not be prudent because (1) it would result in impacts to another historic property (Site 24BL1728) and (2) and would result in an inadequate offset (i.e., the distance between the highway and the railroad that allows for safe rail and vehicular operations) for safety with the railroad crossing at Indiana Street.

Since all alternatives would meet the purpose of and need for the project, the Improved Two-Lane, Improved Two-Lane with Passing Lanes, and the Four-Lane Undivided Alternatives are prudent and feasible alternatives for avoiding this site.

<u>Site 24BL1251, Jamieson Motors</u>. Site 24BL1251 would be impacted by implementation of the Four-Lane Undivided and Four Lane Divided Alternatives. Both two-lane alternatives avoid impacting this site.

To avoid Site 24BL1251 in the four-lane alternatives, a minimized four-lane alternative through Chinook was investigated. Minimization options considered for reducing the typical section and preserving some of the existing historic resources (24BL1248, 24BL1251, and 24BL1254) included removing the sidewalk and/or parking lane. Removing the sidewalk or parking lane did not narrow the roadway section enough to preserve the historic structures.

Realigning the roadway under the four-lane alternatives to miss this site would not be feasible or prudent because (1) it would result in impacts to another historic property (Site 24BL1728) and (2) it would result in a further reduction of the already inadequate offset (i.e., the distance between the highway and the railroad that allows for safe rail and vehicular operations) with the railroad crossing at Indiana Street.



Since all alternatives would meet the purpose of and need for the project, the Improved Two-Lane and the Improved Two-Lane with Passing Lanes Alternatives are prudent and feasible alternatives for avoiding this site.

<u>Site 24BL1254, Pehrson's Exxon</u>. Site 24BL1254 would be impacted by implementation of the Four-Lane Undivided and Four Lane Divided Alternatives. Both the two-lane alternatives avoid impacting Site 24BL1254.

To avoid Site 24BL1254 in the four-lane alternatives, a minimized four-lane alternative through Chinook was investigated. Minimization options considered for reducing the typical section and preserving some of the existing resources (24BL1248, 24BL1251, and 24BL1254) included removing the sidewalk and/or the parking lane. Removing the sidewalk or parking lane did not narrow the roadway enough to preserve the historic structures.

Realigning the roadway under the four-lane alternatives to avoid this site would not be prudent because (1) it would result in substantial increased impacts to wetlands and (2) would result in an inadequate offset (i.e., the distance between the highway and the railroad that allows for safe rail and vehicular operations) with the railroad crossing at Indiana Street.

Since all alternatives would meet the purpose of and need for the project, the Improved Two-Lane and the Improved Two-Lane with Passing Lanes Alternatives are prudent and feasible alternatives for avoiding this site.

<u>Site 24BL981 (24BL1050)</u>, <u>Lodge Creek Bridge</u>. Lodge Creek Bridge may be adversely impacted by all of the project build alternatives. The current bridge is narrow and would require replacement under any of these alternatives. Therefore, for safety reasons, it would not be prudent to incorporate the existing bridge into any of the proposed alternatives. In all cases, the new bridge would be constructed adjacent to the existing bridge, providing an opportunity to avoid impacting the structure. MDT would use its Adopt a Bridge program to try to identify a new owner for the bridge ¹.

For the Lodge Creek Bridge, if a new owner adopts the bridge, it could be left in place or moved. If a new owner cannot be identified, there would be no prudent alternative because

¹The MDT Adopt-a-Bridge Program was initiated to prevent the destruction of historic bridges in Montana (23 U.S.C. 144(0)). The program was developed in compliance with the May 9, 1989 Programmatic Agreement among the FHWA, SHPO, ACHP, and MDT for Historic Roads and Bridges. If an NRHP-eligible bridge requires removal, MDT advertises the availability of the bridge for adoption by another entity or individual. Anyone interested in adopting a historic bridge is required to submit an application to MDT. Applications can be submitted from governmental entities, civic groups, non-incorporated groups, or individuals (in order of preference). The application must address questions regarding the ownership, use, location, access, insurance, and bonding for the bridge. The bridge can either be left in place (preferable) or moved to a new location. The new owner receives monetary compensation equal to the estimated cost of removal to relocate or rehabilitate the bridge. If no applications are received, or the applications received do not meet the criteria for transfer of ownership, MDT may remove the historic bridges in compliance with its Programmatic Agreement for Historic Roads and Bridges.



MDT would no longer maintain the bridge due to cost and therefore would need to remove the bridge to avoid safety and liability concerns.

Site 24BL1731, Fifteen Mile Creek Bridge. Fifteen Mile Creek Bridge may be adversely impacted by all of the project build alternatives. The current bridge is narrow and would require replacement under any of these alternatives. Therefore, for safety reasons, it would not be prudent to incorporate the existing bridge into any of the proposed alternatives. In the case of the Improved Two-Lane and Improved Two-Lane with Passing Lanes Alternatives, the new bridge would be constructed adjacent to the existing bridge, providing an opportunity to avoid impacting the structure. MDT would use its Adopt a Bridge Program to try to identify a new owner for the bridge. If a new owner adopts the bridge it could be left in place or moved. If a new owner cannot be identified, there would be no prudent alternative because MDT would no longer maintain the bridge due to cost and therefore it would need to be removed to avoid safety and liability concerns. For the Four-Lane Undivided and Four-Lane Divided Alternatives, the bridge would be directly impacted because it would be within the right-of-way and would require removal during construction. Prior to construction, MDT would use its Adopt a Bridge Program to try to identify a new owner to move the bridge. Shifting the alignment to avoid impacting the bridge for the four-lane alternatives is not prudent because it would result in increased wetland and property impacts. If the alignment were shifted to miss the bridge, MDT would still need to find a new owner willing to take over maintenance of the bridge. If a new owner could not be found, there would be no prudent alternative because MDT would remove the bridge to avoid safety and liability concerns.

Site 24BL1541, Vincent Pefaur Farmstead. All of the project build alternatives would result in impacts to the Vincent Pefaur Farmstead. Design of the Improved Two-Lane Alternative could be modified to introduce two sets of reverse curves (four curves total) to route the highway around the property. While the introduction of reverse curves could be designed to meet MDT standards, the design may confuse motorists because curves would be introduced into an otherwise straight roadway. Therefore, for safety reasons, MDT/FHWA determined that this design option was not prudent. Realigning the four-lane alternatives to the north to avoid this site is also not prudent because of the need to maintain the railroad offset for safety. Moving the alignment to the south is also not prudent because it would impact prime farmland, farming operations, wetlands, and accesses to several properties. In addition, it would result in this parcel becoming isolated between the railroad and US 2. Steepening the sideslope and adding guardrail in this location would not avoid impacting this site because the historic features are located close to roadway.

<u>Site 24BL1542, Knute and Ardele Kulbeck Farmstead.</u> All of the project build alternatives would result in impacts to the Knute and Ardele Kulbeck Farmstead. Realigning the alternatives to the north to avoid this site would move the highway closer to the railroad than it is today. At a minimum, the existing offset from the railroad needs to be maintained for safety. Therefore, moving the alignment north to avoid this site is not prudent because it results in safety impacts. Steeping the sideslope and adding guardrail in this location would



not avoid impacting the site because it is adjacent to the highway. Moving the alignment to the south is also not prudent because it would impact prime farmland, farming operations, wetlands, right-of-way, and access. In addition it would result in this parcel becoming isolated between the railroad and US 2.

<u>Site 24BL838, Harlem-Snake Butte Railroad</u>. The Harlem-Snake Butte Railroad would be adversely affected by all of the project build alternatives. The existing US 2 alignment also crosses this feature. There are no prudent measures that could be taken to avoid impacting this site. An option of realigning the roadway is not prudent because it would not avoid the impact to the site but would merely change the location of the impact and create an impact in a non-impacted area.

Constructing a bridge over the site would require spanning not only the Harlem-Snake Butte Railroad but also the Harlem Canal due to its close proximity. In addition, access to several driveways and county roads would need to be relocated. This bridge structure would be elevated above the existing roadway. Since the surrounding landscape and the topography are flat with little vegetation, there are wide-open vistas. This bridge would introduce a highly visible element into these long distance views from US 2 and the communities of Harlem and Fort Belknap. MDT estimates the cost of this type of bridge to be approximately \$3.5 million to \$4.0 million for both two-lane alternatives and approximately \$7.0 million to \$8.0 million for the four-lane alternatives. Due to these costs and visual impacts, using a bridge to avoid this site would not be a prudent alternative.

Site 24BL1351 (24BL943), Harlem Canal. The Harlem Canal would be adversely impacted by all the project build alternatives. This site is adjacent to Site 24BL838, Harlem-Snake Butte Railroad. Realigning the roadway is not prudent because it would not avoid the site and would only change the location of the impact. Building a bridge is not prudent due to the visual impacts and excessive costs as described in Site 24BL838, Harlem-Snake Butte Railroad.

<u>Sites 24BL1573 and 24HL1128, US Highway 2.</u> All project build alternatives would impact Sites 24BL1573 and 24HL1128 because they are in the US 2 corridor. As discussed previously, although the No-Build Alternative and realignment of US 2 to bypass the current alignment would avoid the existing US 2 site, these are not prudent alternatives because they do not address the project's purpose and need to provide an efficient highway to support economic vitality, reduce roadway deficiencies, improve safety or improve traffic operations.

Measures to Minimize Harm

As discussed above, the preferred alternative, the Improved Two-Lane with Passing Lanes Alternative, would impact the Section 4(f) resources by potentially incorporating the use of these lands into the proposed transportation improvements.

• 24HL1133 Sunset Drive-In Theater

• 24BL981 (24BL1050) Lodge Creek Bridge



•	24BL1731	Fifteen Mile Creek Bridge
•	24BL1541	Vincent Pefaur Farmstead

• 24BL1542 Knute and Ardele Kulbeck Farmstead

• 24BL838 Harlem-Snake Butte Railroad

• 24BL1351 (24BL943) Harlem Canal

• 24BL1573 and 24HL1128 US 2

For all these sites, the impacts are minimized by the Improved Two-Lane with Passing Lanes Alternative (Preferred Alternative) because the roadway width is narrower than the four-lane alternatives. The proposed alignment also has been designed to minimize impacts to Section 4(f) resources in the corridor. At the specific Section 4(f) sites within the corridor, additional measures to minimize impacts include the following.

For both the Harlem-Snake Butte Railroad (24BL838) and the Harlem Canal (24BL1351 and 24BL943), the crossing of these resources by the proposed project will be kept within the vicinity of existing crossings to minimize impacts to currently non-impacted areas. In addition, right-of-way within this area will be minimized to reduce the amount of this resource that is incorporated into the proposed transportation project.

During final design, measures such as lowering the roadway grade to minimize sideslopes, steepening sideslopes and adding a guardrail, and minimizing right-of-way will be investigated to minimize impacts to the Sunset Drive-In Theater (24HL1133), Vincent Pefaur Farmstead (24BL1541), and Knute and Ardele Kulbeck Farmstead (24BL1542).

MDT's Adopt-a-Bridge Program would be used to identify a new owner for the Lodge Creek and/or Fifteen Mile Creek Bridges. The Adopt-a-Bridge Program provides a mechanism for MDT to transfer ownership of historic bridges to any entity or individual willing to take on ownership and maintenance of the structures. If MDT receives a suitable application from an interested party, the program allows the bridge to either remain in its current location or be moved to an alternate site. The Lodge Creek Bridge (24BL981/24BL1050) could be left in place or moved under any of the build alternatives. The Fifteen Mile Creek Bridge (24BL1731) could be left in place or moved under the two-lane alternatives. In the four-lane alternatives, the wider roadway section and right-of-way would impact the Fifteen Mile Creek Bridge (24BL1731). Therefore, the Fifteen Mile Creek Bridge (24BL1731) would not be left in place for the four-lane alternatives; however, it could be moved. The use of MDT's Adopta-Bridge Program provides an opportunity to minimize impacts to these Section 4(f) resources.

Under Section 106 of the NHPA, to mitigate adverse effects to historic resources, MDT and FHWA developed a Memorandum of Agreement (MOA) with the SHPO for the effects on 24BL1541, the Vincent Pefaur Homestead. MDT and FHWA will carry out the stipulations of the MOA, which includes Historic American Building Survey (HABS)-level documentation



of the Vincent Pefaur Homestead and the installation of an historical marker near the site (see attachment for the MOA).

Coordination

MDT, on behalf of FHWA, prepared a cultural resource inventory for the project corridor and coordinated with the Montana SHPO regarding the eligibility of all historic and prehistoric resources within the corridor and the assessment of effect of the alternatives. The SHPO concurred with the MDT/FHWA determinations of eligibility and the assessment of effect for these properties. MDT, FHWA, and SHPO signed a Memorandum of Agreement on September 20, 2004, which specified the mitigation measures to be carried out for NRHP-eligible resources that would be impacted by the Preferred Alternative.

In addition to consultations with SHPO, all of the public entities that own property within the US 2 project area were contacted to identify the uses of their lands and make a determination if any of the properties qualified as significant 4(f) parks, recreation areas, or wildlife refuges. These agencies included:

- Blaine County, Montana
- City of Chinook, Montana
- City of Harlem, Montana
- Fort Belknap Indian Reservation
- Montana Department of Natural Resources and Conservation
- U.S. Department of the Interior Bureau of Land Management

A letter describing the project and requesting information about land uses was sent to each agency at the beginning of the EIS process (Appendix B). Subsequent telephone conversations were held with members of these entities to clarify information and attain the understanding of land uses on their properties.





AUG 3 1 2004

ENVIRONMENTAL

MEMORANDUM OF AGREEMENT PLH-TCSP 1-6(44)384 US 2 – HAVRE TO FORT BELKNAP HILL & BLAINE COUNTIES, MONTANA Control No. 4951

WHEREAS the Federal Highway Administration (FHWA) proposes to assist the Montana Department of Transportation (MDT) in funding the US – Havre to Fort Belknap highway reconstruction project.

WHEREAS FHWA has determined that the undertaking will have an effect on one historic property: the Vincent Pefaur Homestead (24BL1541). The FHWA has consulted with the Montana State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act (16 USC 470) and its implementing regulations, "Protection of Historic Properties" (36 CFR 800);

WHEREAS MDT participated in the consultation and have been invited to concur in this Memorandum of Agreement;

NOW, THEREFORE; FHWA and the Montana SHPO agree that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

Conduct Historic American Building Survey (HABS)-level documentation of the Vincent Pefaur Homestead (24BL1541). The documentation would include an extensive site history, large-format photographs, map, and drawings of any significant features of buildings and structures on the property. The information will be provided to the Blaine County Museum, the Montana SHPO, and the National Park Service if deemed appropriate.

- 2) The MDT will install an historical marker adjacent to US Highway 2 near the site of the Vincent Pefaur Homestead (24BL1541) that describes the history and significance of agriculture to Blaine County.
- 3) If a dispute arises regarding the implementation of Agreement, FHWA shall consult with the objecting party to resolve the dispute. If any consulting party determines that the dispute cannot be resolved, FHWA shall request the further comments of the Advisory Council on Historic Preservation pursuant to the Council's regulations.

EXECUTION OF THIS MEMORANDUM OF AGREEMENT and implementation of its terms evidences that FHWA has afforded the Council an opportunity to comment on the US 2 – Havre to Fort Belknap highway reconstruction project and its affects on historic properties, and that FHWA has taken into account the effect of the Undertaking on historic properties.

Federal Highway Administration

Montana State Historic Preservation Office

Concurring Party:

Montana Department of Transportation

9-20-2005

Date

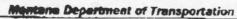
8 24 2004 Date

Chart 23, 2004

Jur-08-04

From-MOT CONSULTANT DESIGN SECTION

02:43pm



Judy Merz, Governor

2701 Prospect Avenue PO Box 201001 Helena MT 59820-1001

June 8, 2004

Mr. Don K. Swenson, Chairman BLAINE COUNTY COMMISSIONERS PO Box 278 Chinook, MT 59523-0278

Subject: PLH-TCSP 1-5/44/384

US 2 - Havre to Fort Belknap EIS

C.N. 4951

Section 4(f) Regulations: Significance of Blaine County Fairgrounds Site

Dear Commissioner Swenson:

We are writing to request the Commission's assistance in providing public land information on the Blaine County Fairgrounds site. This information will be used for an Environmental Impact Statement (EIS) being prepared by the Montana Department of Transportation (MDT). The EIS assesses potential impacts that may occur from the reconstruction of US 2 between Havre and Fort Belknap. As shown in the attached figures, the four-lane undivided alternative and the four-lane divided alternative impact the county-owned parcel that is south of US 2 and north of the Blaine County Fairgrounds. Neither of the two-lane alternatives impacts this parcel Regulations under 49 U.S.C.303 (Section 4(f)), require that FHWA not approve the use of land from a significant publicly owned public park, recreation area, or wildlife and waterfowl refuge or any significant historic site, unless a determination is made that there is no feasible and prudent alternative to such use and the project includes all possible planning to minimize harm. Section 4(f) is applicable to publicly owned fairgrounds that are open to the public and function primarily for public recreation other than an armual fair. Section 4(f) only applies to those portions of land determined significant for recreational purposes.

As discussed previously, it is our understanding that this property and the fairgrounds are owned by Blaine County and the entrance to the fairgrounds is open at all times. In addition to use of this facility for the county fair, some of the facilities are used by organizations such as 4-H. It is our understanding that there is no current or proposed recreation use of the northern portion of this site which is adjacent to US 2.

When considering the applicability of Section 4(t) to this property that includes the fairgrounds, the officials with jurisdiction over the resource must determine the significance of the site for recreational purposes.

In determining if the primary or major purpose of the site is a park, recreation area or refuge, officials with jurisdiction should note that "incidental, secondary, occasional, or dispersed recreational activities do not constitute a major purpose".

In determining the significances of the site, officials with jurisdiction must consider the quality, availability, and function of a pack, recreation area, or refuge with respect to the recreational, park and refuge objectives of the community. If the land in question plays an important role in meeting these objectives, it would be considered significant. However, "consideration under section 4(f) is not required when the Federal, State, or local officials with jurisdiction over a park, recreation area or refuge determine that the entire site is not significant".

Mr. Doa K. Swenson June 8, 2004 Page 2

Potential Impacts to the Feligrounds Site

There are currently four alternatives under consideration, which propose to widen the existing US 2 on or near the existing alignment. Two of these, the four-lane undivided alternative and four-lane divided alternative, would require a minor amount of land from the portion of the county property north of the fairgrounds and adjacent to US 2 (see attached figures).

4(1) Applicability to the Paicerounds Site

Based on a preliminary review of the impacts to the site, it appears that the potentially impacted portion of the site may not need the criteria for section 4(f) applicability. The following questions are pertinent:

- Is the primary or "major perpose" of the potentially impacted portion of the site recreation?
- Is the potentially impacted portion of the site significant to the county's overall recreation system?

If you determine the primary use of the potentially impacted portion of the site is not recreation and/or is not significant, the Section 4(f) regulations would not apply. Please sign below if you concur that the potentially impacted portion of the site is not primarily used for recreation and/or is not significant. If you do not concur, please respond with a letter.

If you have any questions, phase contact Karl Helvik at 406-444-5446. He is the Consultant Project Engineer on this project. Thank you for your assistance in this matter.

forn S. Martin, P.E.

Consultant Design Engineer

406-444-9252

We concur that the potentially impacted portion of the Blaine County Fairgrounds are not primarily used for recreation and are not significant to the County's overall recreation system.

Name

Blaine Co Comaissioner

Date

TSM:kmh

Copies: Jean A. Riley, P.E. - Acting Chief, MDT Environmental Services Bureau

Michael P Johnson - Administrator, MDT Great Falls District

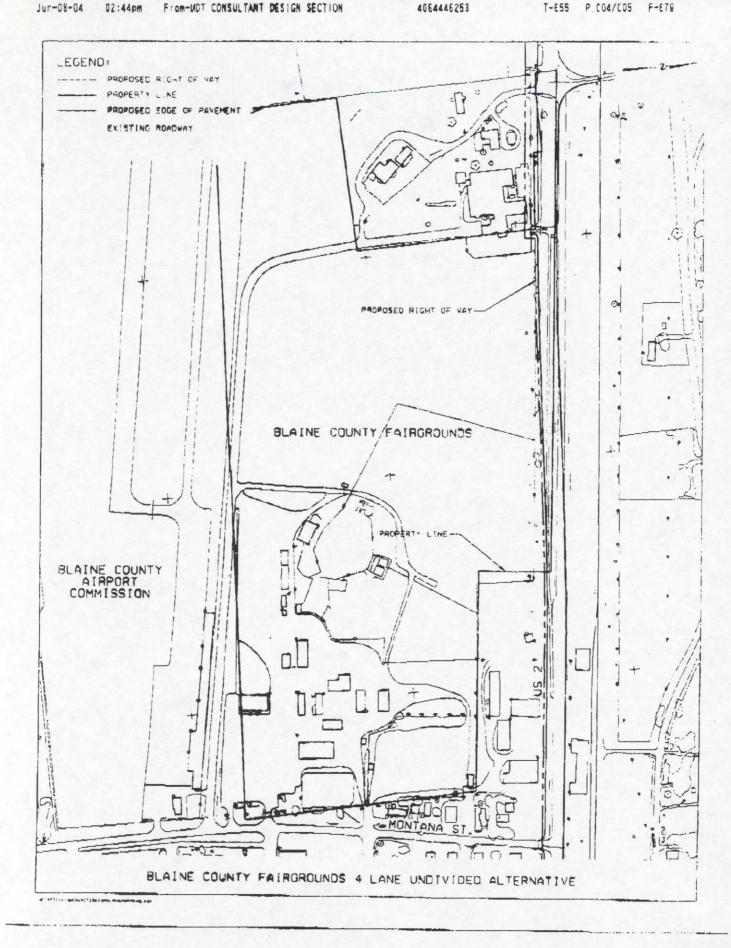
Paul R. Ferry, P.E. - MDT Highways Engineer

Tom S.Martin, P.E. - MDT Consultant Design Engineer

Darrin G. Greasal - FEWA Operations Engineer

Highways File, MOT Highways Bureau

Debra Perkins-Smith, David Evens and Associates, Inc.

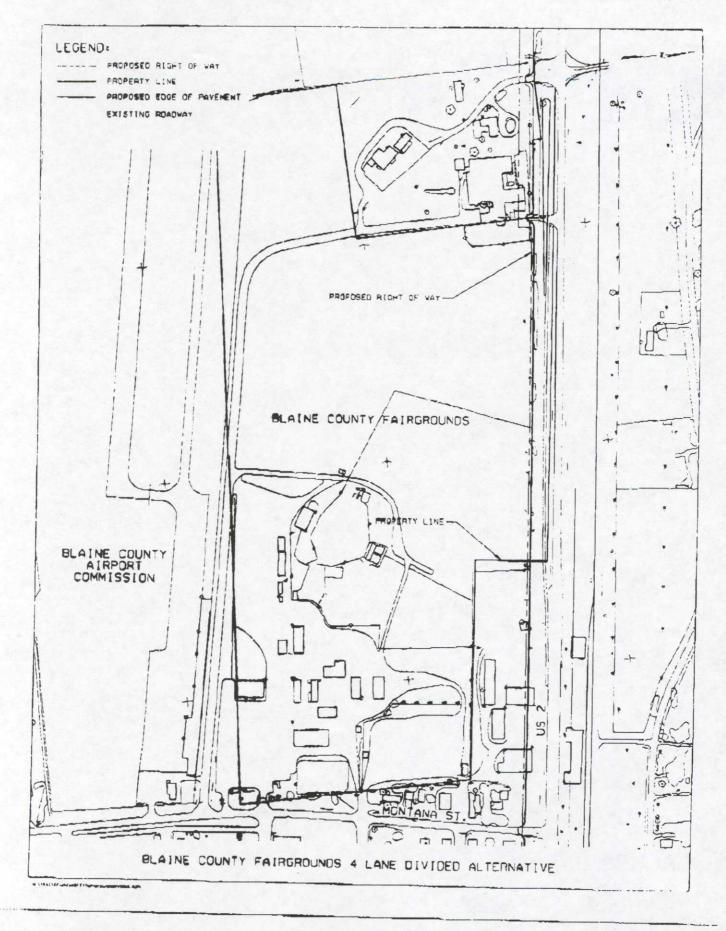


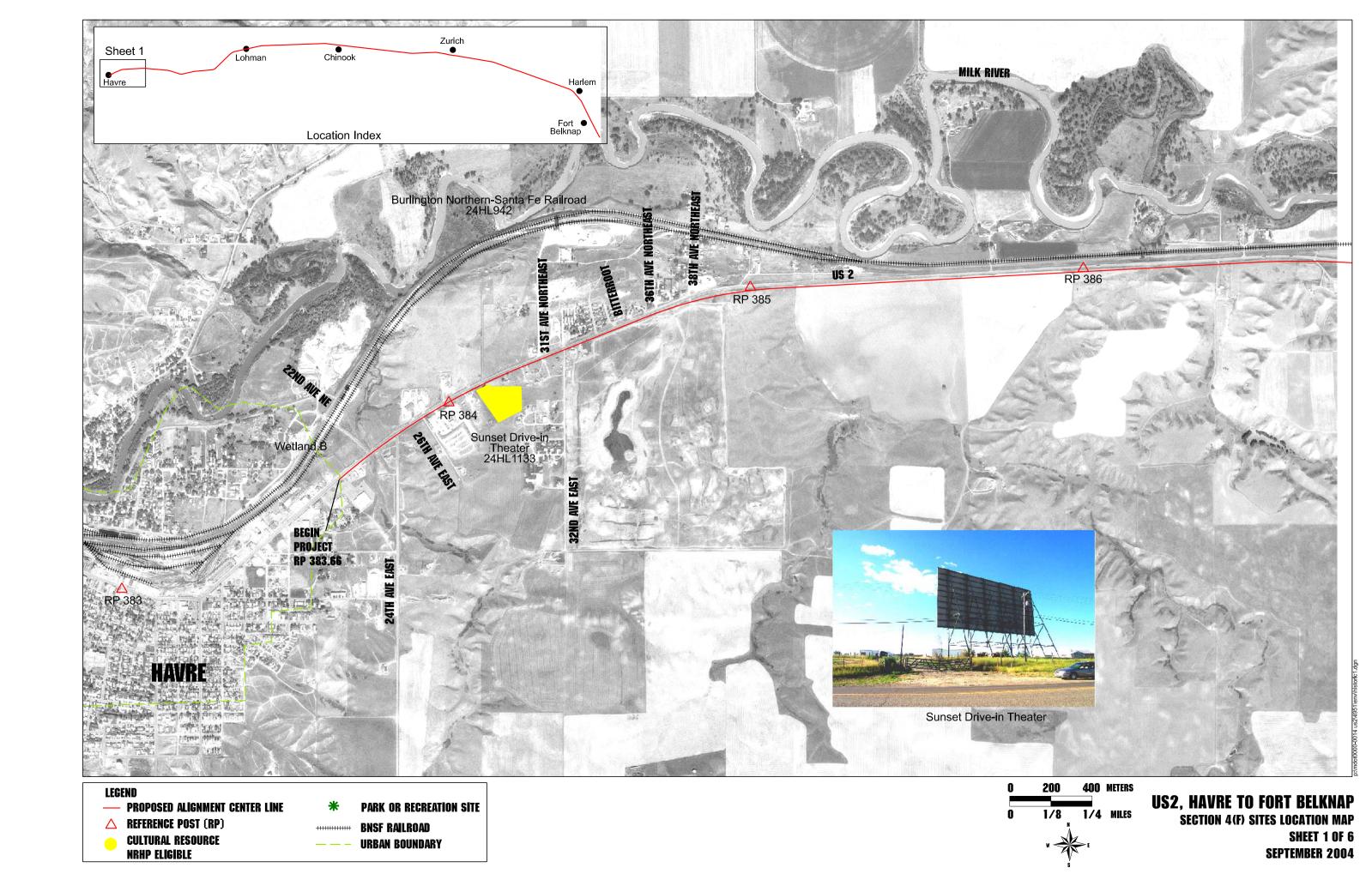
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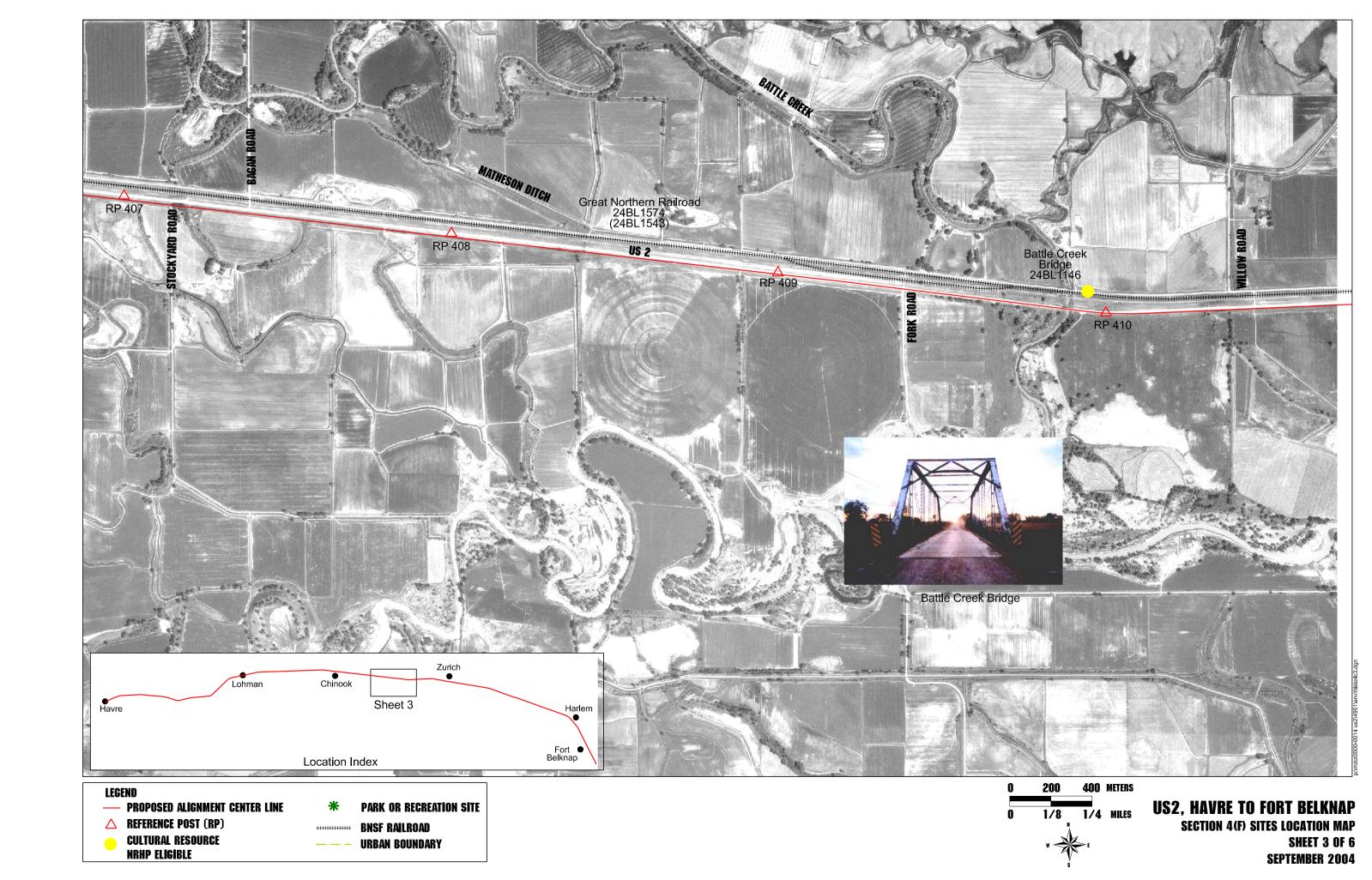


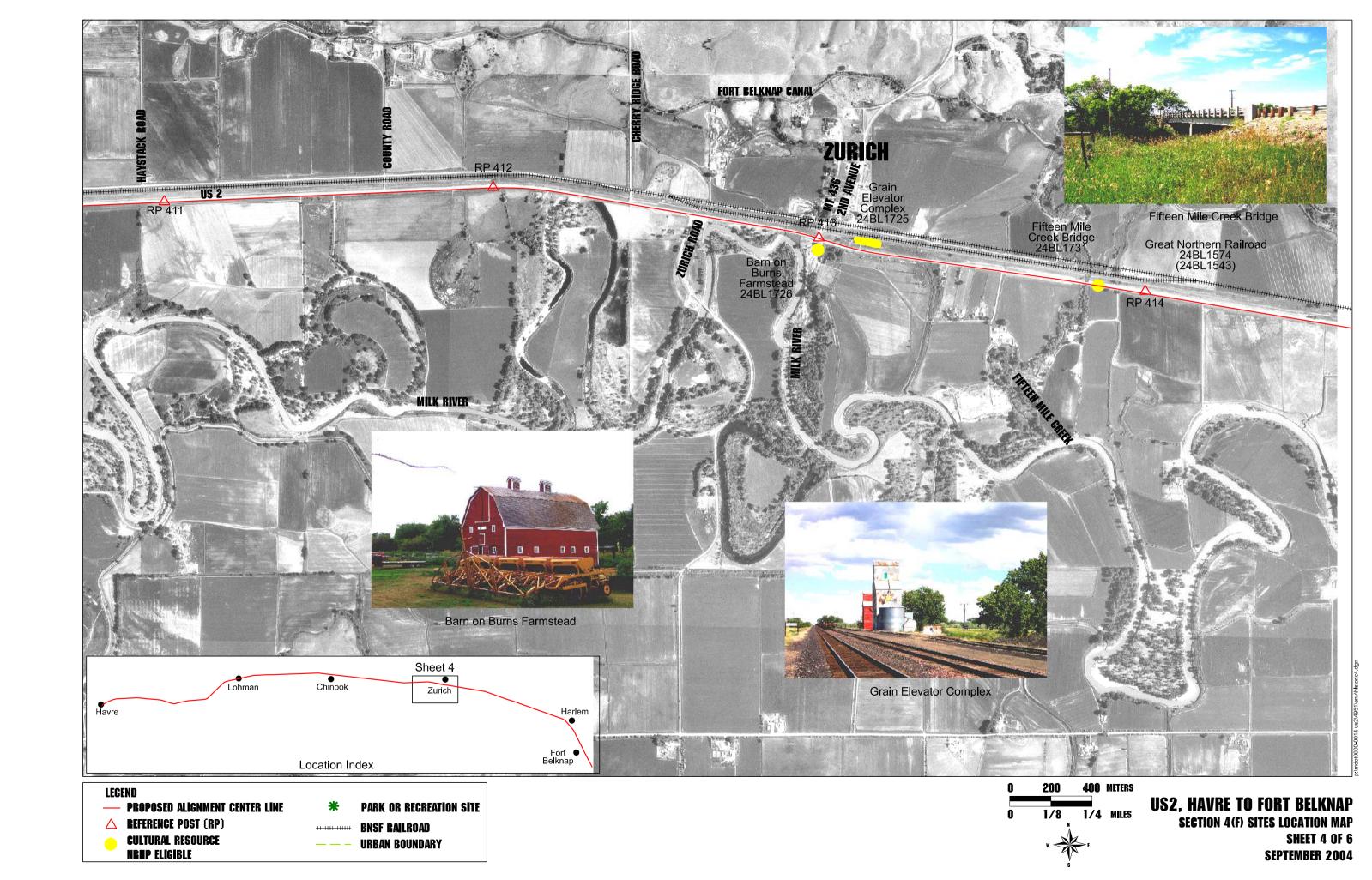


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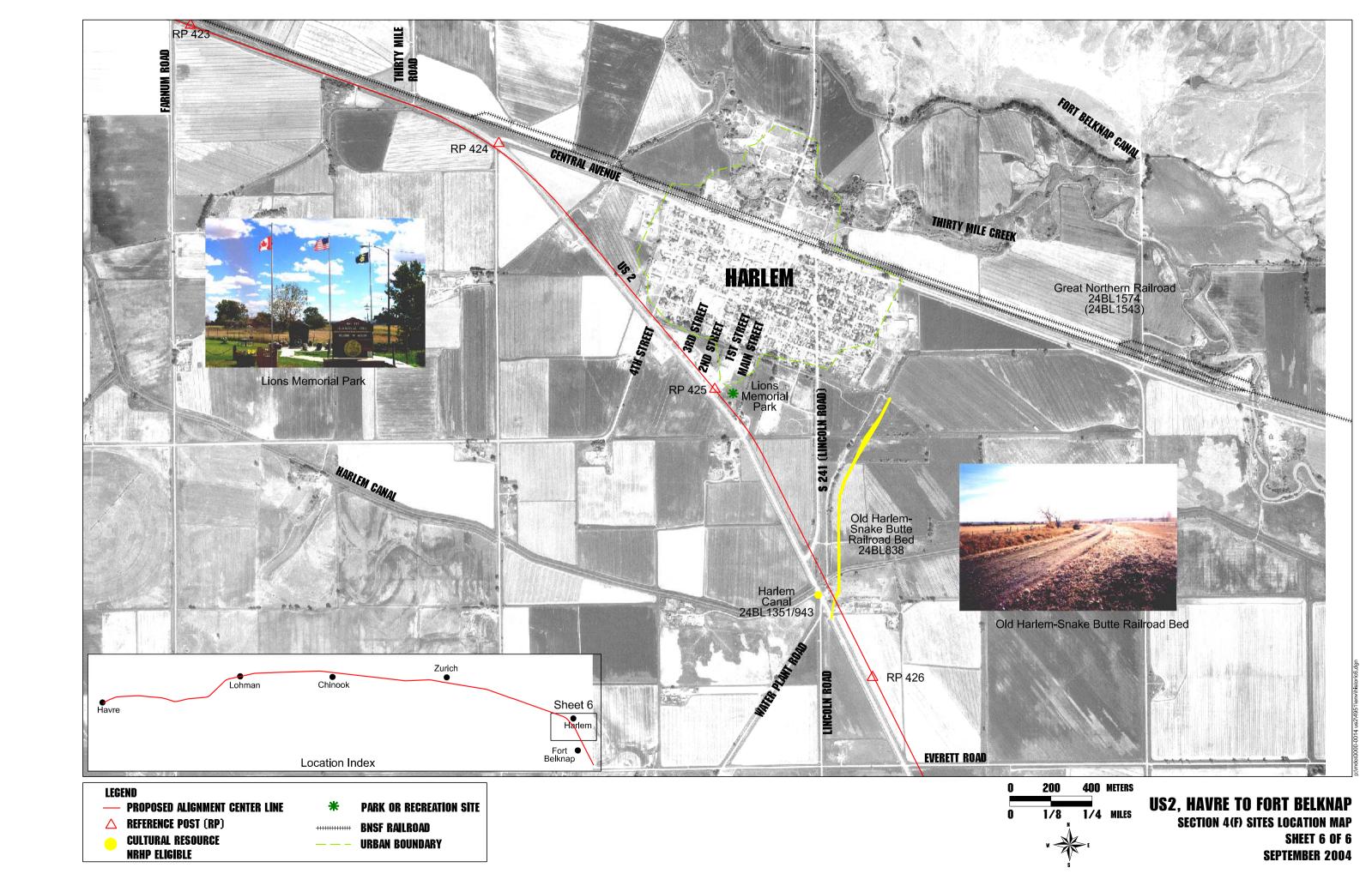
NRHP ELIGIBLE

SHEET 2 OF 6 SEPTEMBER 2004









APPENDIX J – Public Involvement

Notice of Intent

Public Meeting Minutes

- 1. Public Meeting Series #1
- 2. Community Workshops
- 3. Public Meeting Series #2

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from France (65 FR 18050 (April 6, 2000)), the antidumping duty orders on corrosion-resistant steel and cut-to length steel from Germany (65 FR 18051 (April 6, 2000) and 65 FR 18055 (April 6, 2000), respectively), and the countervailing duty order on corrosion-resistant steel from France (65 FR 18063 (April 6, 2000));

- The ITC determinations in the sunset reviews of the antidumping and countervailing duty orders on cut-to-length steel from Germany and on corrosion-resistant steel from France and Germany (USITC Publication 3364, November 2000; 65 FR 75301 (December 1, 2000)):
- The DOC notice of the continuation of the antidumping and countervailing duty orders on cut-to-length steel from Germany and on corrosion-resistant steel from France and Germany (65 FR 78469 (December 15, 2000)); and
- Certain provisions and procedures contained in Sections 751 (c) and 752 of the Tariff Act of 1930 (the "Act"), the implementing regulations (referred to by the EC as "19 CFR Section 351"), and the Sunset Policy Bulletin issued by the DOC (63 FR 18871 (April 16, 1998)).

With respect to the claims of WTOinconsistency, the EC request for consultations refers to the following:

- The presumption of continuation or recurrence of dumping or countervailable subsidy with respect to an interested party when this latter has waived its participation in a review conducted by the DOC (section 751(c)(4)(B) of the Act);
- The specific 0.5% de minimis dumping margin in a sunset review (section 752(c)(4)(B) of the Act, DOC regulation 19 CFR 351.106(c), section II.A.5 of the DOC Sunset Policy Bulletin):
- The specific conditions for assessing cumulatively the volume and effect of imports of the subject merchandise from all subject countries in a sunset review (section 752(a)(7) of the Act);
- The assessment of the likely volume of imports in a sunset review (sections 752(a)(2) of the Act) and the failure to determine that imports from France or Germany would be likely to rise above their historical and current negligible volume:
- The failure of the ITC to use publicly available information to account for the missing information due to the limited cooperation from the domestic producers, in particular from the service centers;
- the decision of the ITC to assess the likely impact of French and German imports cumulatively with the imports from "all subject countries".

Public Comment: Requirements for Submissions

Interested persons are invited to submit write comments concerning the issues raised in this dispute. Persons submitting comments may either send one copy by U.S. mail, first class, postage prepaid, to Sandy McKinzy at the address listed above, or transmit a copy electronically to ecsunset@ustr.gov, with "EC Sunset Dispute" in the subject line. For documents sent by U.S. mail, USTR requests that the submitter provide a confirmation copy, either electronically, to the electronic mail address listed above, or by fax to (202) 395-3640, USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similar, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files. Comments must be in English. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitting person. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act 1974 (19 U.S.C. 2155(g)(2)). If the submitting person believes that information or advice may qualify as such, the submitting person—

- (1) Must so designate the information or advice:
- (2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and
- (3) Is encouraged to provide a nonconfidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, assessable to the public, in the USTR Reading Room, which is located at 1724 F Street, NW., Washington, DC 20508. The public file will include non-confidential comments

received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket No. WT/ DS-262, EC Sunset Dispute) may be made by selling the USTR Reading Room at (202) 395-6186. The USTR Reading Room is open to the public 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

Bruce Hirsh,

Acting Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 02–20002 Filed 8–6–02; 8:45 am] BILLING CODE 3190–01–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Hill and Blain Counties, Montana

AGENCY: Federal Highway Administration (FHWA), DOT. **ACTION:** Notice of intent.

SUMMARY: FHWA hereby gives notice that it intends to prepare an Environmental Impact Statement (EIS) for improvements to US Highway 2, in Hill and Blaine Counties, Montana.

FOR FURTHER INFORMATION CONTACT: Mr. Dale Paulson, Program Development Engineer, FHWA Montana Division, 2880 Skyway Drive, Helena, Montana 59602; Telephone (406) 449–5302, extension 239; or Mr. Carl Helvik, Consultant Design, Montana Department of Transportation, 2701 Prospect Avenue, Helena, Montan 59620–1001; Telephone (406) 444–5446.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be download using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512–1661. Interent users may reach the Office of the Federal Register's home page at: http://www.nara.gov/fedreg and the Government Printing Office's database at: http://www.access.gpo.gov/nara.

Background

The FHWA, in cooperation with the Montana Department of Transportation

(MDT), will prepare an EIS for a proposal to improve US Highway 2 in Hill and Blaine Counties, Montana. The itnent of the proposed project is to replace the aging US Highway 2 with an efficient and safe highway that will be attracitve to the needs of agriculture, industry, commerce and tourism in the ara. The proposed improvement corridor is between Havre and Fort Belknap, a distance of approximately 72km (45 miles), and includes the towns of Lohman, Chinook, Zurich, and Harlem

Alterantives under consideration include: (1) Taking no action; (2) improvements within the existing alignment; (3) improvements on a new alignment; and (4) combination of alternatives (2) and (3).

An extensive public involvement process will be conducted to solicit views and comments from the appropriate agencies and interested private organizations and citizens. The process will include a Citizens Advisory Committee, public meetings and workshops, a public hearing, small group presentations, and meetings with individuals along the corridor. The draft EIS will be available for public and agency reviews and comments prior to the public hearing. Public notice will be given of the time and place of all meetings and hearings.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided.

(Catalog of Federal Domestic Assistance Project Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed action.)

(Authority: 23 U.S.C. 315; 49 CFR 1.48)

Issued on: August 1, 2002.

Dale W. Paulson,

Program Development Engineer, Montana Division, Federal Highway Administration, Helena, MT.

[FR Doc. 02–19902 Filed 8–6–02; 8:45 am] BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Actions on Exemption Applications

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Notice of actions on exemption applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the actions on exemption applications in April-June 2002. The modes of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1-Motor vehicles, 2-Rail freight, 3-Cargo vessel, 4—Cargo aircraft only, 5-Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions. It should be noted that some of the sections cited were those in effect at the time certain exemptions were issued.

Issued in Washington, DC, on July 19,

R. Ryan Posten,

Exemptions Program Officer, Office of Hazardous Materials Exemptions and Approvals.

O	O			
Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
		MOD	IFICATION EXEMPTIONS	
4453–M	DOT-E 4453	Dyno Nobel, Inc., Salt Lake City, UT.	49 CFR 172.101, 173.62, 176.415, 176.83, Column (8C).	To modify the exemption to authorize the transportation of additional Division 1.5D liquid blasting explosives in non-DOT specification bulk cargo tanks, trailers and motor vehicles.
6805–M	DOT-E 6805	Air Liquide America Corporation, Houston, TX.	49 CFR 173.301(d), 173.302(a) (3).	To modify the exemption to authorize the use of DOT Specification 3A and 3AA cylinders as additional packaging for the transportation of Division 2.1 and 2.3 materials and a language clarification of the low pressure cylinders for transporting carbon monoxide.
7007–M	DOT-E 7007	Allied Universal Corp., Miami, FL.	49 CFR 173.314(c), 179.3	To modify the exemption to authorize the use of additional non-DOT specification multi-unit tank car tanks with minimum shell thickness for the transportation of Division 2.3 materials.
7657–M	DOT-E 7657	Welker Engineering Company, Sugar Land, TX.	49 CFR 173.201, 173.202, 173.203, 173.302(a)(1), 173.304(a)(1), 173.304(b)(1), 175.3.	To modify the exemption to authorize the transportation of additional Division 2.1, 2.2, 2.3 and Class 3 materials in a non-DOT specification stainless steel cylinder.
7765–M	DOT-E 7765	Carleton Technologies, Inc., Orchard Park, NY.	49 CFR 173.302(a)(4), 175.3.	To modify the exemption to authorize the use of an additional non-DOT specification cylinder bottle assembly unit for the transportation of Division 2.2 materials.
8215–M	DOT-E 8215	Olin Corp., Brass & Win- chester, Inc., East Alton, IL.	49 CFR 172.320, 173.230, 173.62(c), Part 172, Subpart E.	To modify the exemption to authorize the addition of a Division 1.1D material and for Division 1.1A and 1.1D materials to be transported in a newly designed motor vehicle (trailer).
8439–M	DOT-E 8439	Kidde Aerospace, Wilson, NC.	49 CFR 173.302, 173.304, 175.3.	To modify the exemption to authorize the transportation of an additional Division 2.2 material in non-DOT specification cylinders.



MEETING MINUTES

PROJECT: US 2, Havre to Fort Belknap

MDT Project No. PLH-TCSP 1-6(44)384, C.N. 4951

PURPOSE: Public Meeting Series #1

DATE HELD: September 30, 2002 – October 3, 2002

LOCATION: MSU Northern S.U.B. Ballroom, Havre, Montana

Chinook Motor Inn, Chinook, Montana Harlem City Hall, Harlem, Montana

Fort Belknap College, Fort Belknap, Montana

ATTENDING: DEA: Joe Hart, Debra Perkins-Smith, Kathy Schultheis; MDT: Mick Johnson, Karl Helvik,

(Project staff) Tom Atkins, Doug Wilmot; FHWA: Darrin Grenfell

COPIES: Karl Helvik, Mick Johnson, Dale Paulson, Tom Atkins, Jean Riley, Darrin Grenfell, Debra

Perkins-Smith, Joe Hart, Kathy Schultheis, Colleen Kirby, CAC Members

Summary of Meetings:

Approximately 750 newsletters advertising the meetings were mailed to landowners, businesses, and other individuals. CAC members posted flyers in public locations, and local newspapers and radio stations were sent press releases.

Attendance (does not include project and agency staff):

Havre – 26

Chinook – 33

Harlem - 38

Fort Belknap – 13

An open house was held from 4:30 – 7pm each night.

The following displays were set up to provide information to the public:

Environmental and public process – explained NEPA and the public involvement process for the project Project Issues and Constraints – consisted of aerial maps of the corridor, and encouraged people to comment on their concerns and issues in the corridor

The following materials were available to the public:

Agenda (attached)

Project Fact Sheet, with Purpose and Need (attached)

Copies of the first project newsletter

Public survey

Comment sheet

Mick Johnson, District Administrator, MDT Great Falls gave a brief presentation at 6pm at the Havre, Chinook, and Fort Belknap meetings. Doug Wilmot, MDT Great Falls gave a brief presentation at 5pm and 6pm at the Harlem meeting. They gave a short history of the project, a snapshot of the timing and the planning process, and introduced the team members from MDT, FHWA, and the project consultant David Evans and Associates, Inc.

A summary of public comments and meeting handouts are attached.

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COMMUNITY WORKSHOP US HIGHWAY 2, HAVRE TO FORT BELKNAP

Week of September 30, 2002

AGENDA

Open House 4:30 - 7:00pm

- Public scoping and information gathering

Presentation 6:00pm

- Mick Johnson, Montana Department of Transportation Great Falls,
 District Administrator
- Debra Perkins-Smith, David Evans and Associates, Inc., Project Manager

OPEN HOUSE STAFF

Montana Department of Transportation: Karl Helvik, Mick Johnson, Doug Wilmot, Tom Atkins, Jean Riley

Federal Highway Administration: Darrin Grenfell

Project Consultants, David Evans and Associates, Inc.: Debra Perkins-Smith, Joe Hart, Kathy Schultheis

PROJECT PURPOSE

The Montana Department of Transportation is conducting an environmental impact statement (EIS) for a portion of the US 2 corridor, between Havre and Fort Belknap. This study is in response to Senate Bill 3, passed in 2001 by the Montana State Legislature. The EIS will analyze the impacts of improvements that may be proposed to address safety and roadway deficiencies.

HOW YOU CAN HELP US:

- Read through the Project Fact Sheet, located at the sign-in table.
- Talk to project team staff during the open house, and point out areas of concern on the highway maps posted on the walls.
- Visit the Comments Station, and let us know what improvements you feel are important on US 2.
- Fill out the public survey, and list any specific concerns or comments you have on the comment sheet; both are located at the Comments Station.
- Give us your input on ideal times and dates for community workshops later this year.

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Public Meeting Series #1 Project Staff Summary of Public Input Sept. 30 – Oct. 3, 2002

PLH-TCSP 1-6(44)384 CN 4951

Following are the major issues project staff identified at the first series of public meetings in Havre, Chinook, Harlem, and Fort Belknap, week of September 30, 2002.

General Corridor Concerns

- 1. Safety is the primary concern on the highway corridor.
 - a. Citizens feel the existing highway is too narrow and lacks adequate shoulders.
 - b. Varying speeds of different users on highway is a safety concern. Citizens would like the highway to accommodate a wide variety of users (local, regional, trucks, school buses, agricultural equipment, bicyclists).
 - c. Citizens say that queues often build up behind slower vehicles or turning vehicles.
 - d. Farmers say that agricultural equipment is difficult to move because there are no shoulders.
 - e. Citizens find it difficult to avoid wildlife that has wandered onto the road.
 - f. Citizens feel that turning onto the road is often dangerous, as vehicles travel at high speeds and there is no accommodation for accelerating vehicles.
 - g. Citizens feel there is inadequate distance between the railroad and the highway at railroad crossings.
 - h. Citizens would like to see many of the bridges widened.
- 2. Most citizens do not want the improved highway to bypass the towns.

Havre area concerns

Citizens did not have major concerns with the highway in the Havre area.

Chinook area concerns

- 1. Safety concerns
 - a. Pedestrians have a difficult and dangerous experience crossing the highway in Chinook.
 - b. Citizens say there are visibility problems turning onto the highway from town, and crossing the railroad tracks north of the highway.
 - c. Citizens have safety concerns at Lodge Creek Bridge and Ellome Road.
- 2. Citizens would like to induce tourists and others to stop in Chinook and spend money.
- 3. Citizens would like to maintain a two-lane highway through Chinook, in its present location, with safety and operational improvements.

Harlem/Fort Belknap area concerns

- 1. Safety concerns
 - a. Citizens say access onto and off of highway is difficult due to fast-moving traffic.
 - b. Citizens feel that the intersection of Everett Road and US 2 is a particular safety concern.
- 2. Citizens would like to create a stronger identity for Harlem along the highway.
- 3. Citizens noted that there are a number of drainage and irrigation issues along the current US 2 bypass.

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MEETING MINUTES

PROJECT: US 2, Havre to Fort Belknap

MDT Project No. PLH-TCSP 1-6(44)384, C.N. 4951

PURPOSE: Community Workshops

DATE HELD: November 12 – 14, 2002

LOCATION: Best Western Great Northern Inn. Havre, Montana

Fort Belknap College, Fort Belknap, Montana

Chinook Motor Inn, Chinook, Montana

Little Rockies Senior & Retirement Center, Harlem, Montana

ATTENDING: DEA: Joe Hart, Steve Long, Debra Perkins-Smith, Kathy Schultheis; MDT: Karl Helvik,

(Project staff) Doug Wilmot; FHWA: Darrin Grenfell

COPIES: Karl Helvik, Mick Johnson, Darrin Grenfell, Debra Perkins-Smith, Joe Hart, Kathy

Schultheis, Martha Wiley, Colleen Kirby, CAC Members, Elected Officials, Sergio Ostria,

Jeff Ang-Olson

Summary of Meetings:

Approximately 900 newsletters advertising the meetings were mailed to landowners, businesses, and other individuals. CAC members posted flyers in public locations, and local newspapers and radio stations were sent press releases.

Attendance (does not include project and agency staff):

Havre – 25

Fort Belknap – 12

Chinook – 44

Harlem - 18

A community workshop was held for 2½ hours at each meeting.

The following displays were set up to provide information to the public:

Highway cross-sections – cross-sections showing standards for two-, three-, four-, and five-lane highways and railroad offsets

Project Issues and Constraints – aerial maps of the corridor, with comments from previous series of public meetings

The following materials were available to the public:

Agenda with project purpose and status (attached)

List of highway improvement objectives (attached)

Doug Wilmot, MDT Great Falls gave a brief introduction at each meeting. Kathy Schultheis and Joe Hart, David Evans and Associates, Inc., reviewed the issues generated by the public at the first series of public meetings. Steve Long, David Evans and Associates, Inc., gave a twenty-minute presentation on highway design, to bring the public to a common understanding of the elements and standards that will be applied to the new design for US 2. The meetings then broke up into work groups to develop various solutions for alternatives for the US 2 corridor.

A summary of issues and solutions developed at each meeting is attached.

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COMMUNITY WORKSHOP US HIGHWAY 2, HAVRE TO FORT BELKNAP

Week of November 11, 2002

AGENDA

- 1. Introduction Doug Wilmot, Montana Department of Transportation Great Falls
- 2. Summary of issues from Public Meeting Series 1 Kathy Schultheis, Senior Landscape Architect and Joseph Hart, Vice President Transportation, David Evans & Associates, Inc.
- 3. Highway Design Steve Long, Senior Transportation Engineer, David Evans & Associates, Inc.
- 4. Breakout groups
 - a. Review issues and objectives
 - b. Develop solutions
- 5. Review objectives and solutions developed by breakout groups
- 6. Next steps

PROJECT STAFF

Montana Department of Transportation: Karl Helvik, Mick Johnson, Doug Wilmot, Tom Atkins

Federal Highway Administration: Darrin Grenfell

Project Consultants, David Evans and Associates, Inc.: Debra Perkins-Smith, Joe Hart, Kathy Schultheis, Steve Long

WORKSHOP PURPOSE

- Confirm the issues and objectives for highway improvements that were voiced at the public meetings in October.
- Develop a range of alternatives that satisfy the objectives for improving US 2.



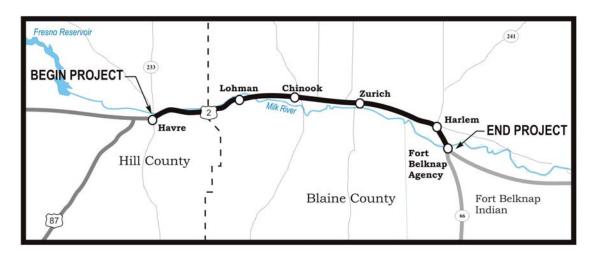
PROJECT PURPOSE

The Montana Department of Transportation is conducting an environmental impact statement (EIS) for a portion of the US 2 corridor, between Havre and Fort Belknap. This study is in response to Senate Bill 3, passed in 2001 by the Montana State Legislature. The EIS will analyze the impacts of improvements that may be proposed to address safety and roadway deficiencies.

PROJECT UPDATE

- ◆ Public meetings were held September 30 October 3, 2002 to inform the public about the project and determine the range of issues along the highway corridor.
- Other updates will be posted periodically on the project website: www.ushwy2.com

US 2 PROJECT LOCATION





Community Workshops Project Staff Summary of Comments November 12-14, 2002

PLH-TCSP 1-6(44)384 CN 4951

Following are the major comments received at the community workshops held in Havre, Chinook, Harlem, and Fort Belknap, week of November 11, 2002.

Havre Area Concerns

Economics and roadway geometry were the primary issues discussed at the Havre workshop.

- 1. Economic Issues and Solutions
 - a. Participants felt strongly that a four-lane highway will better encourage economic development in the corridor.
 - b. There was some disagreement about the ability to fund a four-lane highway within a reasonable amount of time. It was recommended that right-of-way for a future four-lane be acquired if funding or lack of warrant prevents a four-lane in the near future.
- 2. Roadway Geometry & Alignment Issues and Solutions
 - a. In general, participants felt that re-alignment to the south would have negative economic and environmental impacts.
 - b. Participants felt that four lanes would increase safety by providing more passing opportunities, a wider roadway envelope, and better accommodation of trucks.
 - c. Participants asked for 100 150-foot offset or more from the railroad, both for safety at crossings, and for separation from train ditch lights.

Fort Belknap Area Concerns

Economics was the primary issue discussed at the Fort Belknap workshop.

- 1. A number of ideas were proposed to encourage vehicle traffic to stop in the area. These ideas included better signage for businesses and the College, statues and/or sculptures at intersections, future additional development of the Quick Stop, and a rest stop.
- 2. Participants also discussed the interpretive and cultural center being planned by the Fort Belknap College and the need to consider specific plans for future development in the area.

Chinook Area Concerns

Economics and roadway geometry were the two primary issues discussed at the Chinook workshop.

- 1. Economic Issues and Solutions
 - a. Economic drivers were felt to be grain elevators, increased truck traffic due to numerous factors, and tourist stops such as the Chief Joseph Battleground.
 - b. It was felt that a four-lane highway would attract more truckers, industries, Canadian traffic, and tourists, and that four lanes are needed for geographical balance in the state.
 - c. Specific solutions to encourage economic growth included accommodating truck parking in towns so truckers may stop and use goods and services, and talking with industries about factors that influence their site selection.
- 2. Roadway Geometry & Alignment Issues and Solutions

- a. Participants proposed various combinations of three, four, and five lanes through Chinook, as well as a one-way couplet through town. A turn lane was deemed essential, and therefore the three and five lane options were preferred.
- b. It was suggested that a new roadway alignment might relocate the railroad to the north and place the improved US 2 in the current railroad right-of-way.
- 3. Suggested pedestrian improvements included a pedestrian overpass/underpass at Indiana Street, or a traffic signal and/or pedestrian-actuated signal at Indiana Street, and the continuation of the south sidewalk to the Sweet Memorial Nursing Home.

Harlem Area Concerns

Safety and roadway access were the two primary issues discussed at the Harlem workshop.

- 1. Safety Issues and Solutions
 - a. Wildlife collisions are an issue. Solutions include consideration of planting materials used in clear zone and median, such that animals will not be attracted to plants and visibility remains clear.
- 2. Access Issues and Solutions
 - a. The degree of access control desired for a four-lane highway was discussed, without coming to a definitive conclusion. Participants felt that Chambers of Commerce and planning agencies should plan for consolidated access as part of future development in the area.
 - b. Solutions included adding left and right turn lanes, lowering the speed limit to create safer access onto the highway, and adding frontage roads in Fort Belknap and Harlem to allow for consolidated access points.
- 3. Specific solutions were discussed for the Everett Road intersection. These included relocating some of the accesses at this intersection to minimize the number of roads at this location, a traffic signal, or a no passing zone.
- 4. Roadway alignment was discussed. Aside from maintaining the existing alignment, a one-way couplet was suggested that would bring westbound traffic through Harlem and keep eastbound traffic on the current Highway 2 route. Any other alignment option was felt to be indirect and infeasible.



MEETING MINUTES

PROJECT: US 2, Havre to Fort Belknap

MDT Project No. PLH-TCSP 1-6(44)384, C.N. 4951

PURPOSE: Public Meeting Series #2

DATE HELD: May 5-7, 2003

LOCATION: Best Western Great Northern Inn, Havre, Montana

Chinook Motor Inn, Chinook, Montana

Fort Belknap Bingo Hall, Fort Belknap, Montana

Little Rockies Senior & Retirement Center, Harlem, Montana

ATTENDING: DEA: Steve Long, Debra Perkins-Smith, Colleen Kirby; MDT: Karl Helvik, Mick Johnson,

(Project staff) Doug Wilmot, Tom Atkins; FHWA: Darrin Grenfell, Dale Paulson

COPIES: Karl Helvik, Darrin Grenfell, Debra Perkins-Smith, Joe Hart, Kathy Schultheis, Martha

Wiley, Colleen Kirby, Steve Long, CAC Members, Elected Officials, Sergio Ostria, Jeff Ang-

Olson, File

Summary of Meetings:

Approximately 500 newsletters advertising the meetings were mailed to landowners, businesses, and other individuals. CAC members posted flyers in public locations, and local newspapers and radio stations were sent press releases.

Attendance (does not include project and agency staff):

Havre – 33

Fort Belknap – 17

Chinook – 41

Harlem - 32

In October 2002 the first series of public meetings was held to conduct public scoping for the project. In November 2002 community workshops were held to solicit ideas for alternatives. This second series of public meetings presented the purpose and need, screening criteria, alternatives, and screening process.

Graphics illustrated the purpose and need, screening criteria, and each of the alternatives developed for highway improvements.

The following materials were available to the public:

Agenda with project information and status (attached)

Summary of comments received at previous US 2 public meetings (attached)

Comment sheets

Project newsletter

Mick Johnson, MDT District Administrator, Great Falls gave a brief introduction at each meeting. Steve Long, Senior Transportation Engineer, David Evans and Associates, Inc., presented the project purpose and need, screening criteria, alternatives, and screening process. The public gave their input throughout the presentation. Debra Perkins-Smith, Vice President, David Evans and Associates, Inc., ended the meetings with a project status update and public involvement information.

A summary of public comments received at each meeting is attached.

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PUBLIC MEETING US HIGHWAY 2, HAVRE TO FORT BELKNAP

Week of May 5, 2003

AGENDA

- 1. Introduction

 Mick Johnson, Montana Department of Transportation, Great Falls
- 2. Project Overview and Status

 Debra Perkins-Smith, Vice President, David Evans and Associates, Inc.
- 3. Review of Conceptual Alternatives and Screening

 Debra Perkins-Smith, Vice President, and Steve Long, Senior Transportation

 Engineer, David Evans & Associates, Inc.
- 4. Alternatives To Be Carried Forward to Detailed Evaluation Steve Long, Senior Transportation Engineer, David Evans & Associates, Inc.
- 5. Next steps

 Debra Perkins-Smith, Vice President, David Evans and Associates, Inc.

PROJECT STAFF

Montana Department of Transportation: Karl Helvik, Mick Johnson, Doug Wilmot, Tom Atkins

Federal Highway Administration: Darrin Grenfell, Ted Burch, Dale Paulson

Project Consultants, David Evans and Associates, Inc.: Debra Perkins-Smith, Steve Long, Colleen Kirby

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MEETING PURPOSE

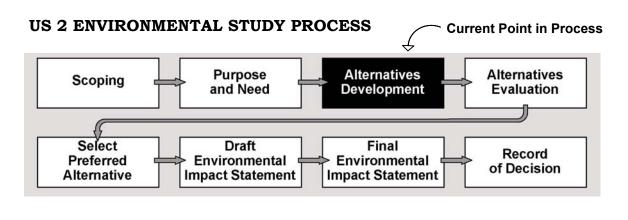
- Discuss the range of alternatives identified for US 2 improvements
- Review screening of alternatives to determine which ones will be carried forward for further evaluation

PROJECT PURPOSE

The purpose of the US 2, Havre to Fort Belknap project is to replace the aging US 2 facility with an efficient and safe highway that will be attractive to the needs of local communities, agriculture, industry, commerce and tourism.

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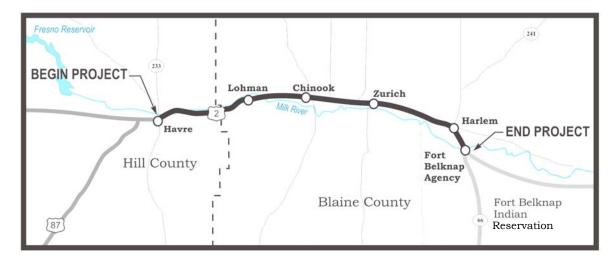
PROJECT INFORMATION AND CONTACTS

If you, or someone you know, would like to talk with a project team member about the project we would be glad to speak with you.

- Visit our project website, www.ushwy2.com, and submit your comments online.
- Mail your comments to: David Evans and Associates, Inc., 1331 17th Street, Suite 900, Denver, Colorado, 80202, attention: Colleen Kirby.
- Talk with a project team member about the project. Call Karl Helvik at the Montana Department of Transportation at 406-444-5446 or Debra Perkins-Smith at David Evans and Associates, Inc. at 720-946-0969.

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US 2 PROJECT LOCATION





Public Meeting Series #2 Project Staff Summary of Public Input May 5-7, 2003

PLH-TCSP 1-6(44)384 CN 4951

The first series of public meetings was held September 30 – October 3, 2002, and a series of community workshops was held November 12 – 14, 2002. Following is a summary of the major comments received for the alternatives and screening at the second series of public meetings in Havre, Chinook, Harlem, and Fort Belknap, week of May 5, 2003. Specific comments for each meeting are attached.

RURAL TYPICAL SECTION ALTERNATIVES

- 1. **Improved Two-Lane.** Safety remains a concern. Some were concerned that 8-foot shoulders were not wide enough for agricultural equipment, and others did not think this was a problem. It would still be difficult to pass slow vehicles. It would still be difficult to turn onto and off of highway because vehicles would still need to accelerate and decelerate in the travel lane. Some commented that this alternative would not improve economics because it was not a four-lane highway.
- 2. **Three-Lane (Super Two).** There is a concern that the passing lanes be of sufficient length to clear long queues. It would still be difficult to turn onto and off of the highway.
- 3. **Four-Lane Undivided.** This alternative would improve traffic operations and increase safety since slower vehicles can be passed. It would be easier to turn onto and off of the highway without a median.
- 4. **Four-Lane Divided.** This alternative would improve traffic operations and increase safety since slower vehicles can be passed. It would be more difficult to use private accesses with a median in the highway.
- 5. **General comments.** The main concern is safety. The speed differential between local and through traffic, cars and trucks, and agricultural equipment is an important issue for the public. Turning onto and off of the highway in high-speed travel lanes is a concern. The public would like access to study reports.

ALIGNMENT ALTERNATIVES

- 1. **Existing Route, Offset from Railroad at Prioritized Crossings.** The public supported carrying forward this alignment.
- 2. **South Corridor Bypass.** Chinook and Harlem City Councils passed resolutions against this alternative. Fort Belknap Tribal Council voted in support of this alternative.
- 3. **Super Two Alignment.** The public generally supported the placement of passing lane locations.
- 4. **Havre East New Alignment.** The public supported elimination of this alternative because the alignment would be detrimental to existing businesses.

CHINOOK ALTERNATIVES

1. **Existing Two-Lane.** Two lanes with a turn lane at Indiana Street would be acceptable. The public would prefer two or three lanes through Chinook to slow traffic, encourage travelers to



stop in town, and provide safer crossing conditions for pedestrians and vehicles on Indiana Street.

- 2. **Three-Lane with Limited Parking.** This alternative is acceptable. Limited truck parking would be acceptable if additional parking is provided on private property visible from the highway.
- 3. **Four Narrow Lanes.** Four lanes would decrease safety for pedestrians and vehicles crossing US 2. Traffic would be more likely to speed through town.
- 4. Four-Lane with Parking and Four-Lane with Center Turn Lane and Parking, on North Curb Held and Offset from Railroad Alignments. These alternatives are undesirable due to impacts to existing businesses on US 2. Citizens do not want to cross additional lanes of traffic.
- 5. **Chinook One-Way Couplet.** Citizens do not want the highway to move closer to downtown and residences. Pedestrian safety on 2nd Avenue would be compromised. The hill on 2nd Avenue at Ohio Street would need to be lowered and would create unacceptable impacts to adjacent streets and buildings.
- 6. **Chinook Move Railroad.** The public supported eliminating this alternative.
- 7. **Chinook Southern Bypass.** Chinook City Council passed a resolution against this alternative.
- 8. **Comments on Truck Parking.** Provisions for truck parking are important to businesses along US 2. Truck parking does not have to be provided on US 2, however; parking on private property that is visible from US 2 is acceptable. Truck parking on US 2 compromises sight distance for vehicles turning onto the highway.
- 9. **Comments on Railroad Crossing at Indiana Street.** Research safety or signal improvements for this crossing.

HARLEM AND FORT BELKNAP ALTERNATIVES

- 1. **Typical Section Through Harlem.** The public would like to maintain a two- or three-lane section through Harlem to slow traffic and encourage travelers to stop in town. Intersection improvements should be added from Central Avenue to Lincoln Road.
- 2. **Harlem Frontage Road.** This alternative would be detrimental to the businesses on US 2. Consolidation of business accesses between 4th and Main Streets would be acceptable if it does not hurt businesses.
- 3. **One-Way Couplets.** The public supported eliminating the Lincoln Road and Old Route 2 one-way couplets because they would cause slower travel times for westbound vehicles and would route high-speed traffic through residential areas of town.
- 4. **Fort Belknap Intersection Improvements.** Main Street should remain open because it provides hospital, fire department, and police access to US 2. The waste transfer site access could be relocated to the north to simplify the intersection with Main Street.

September 2004

APPENDIX K – DEIS Comments and Public Hearings

DEIS Comments – Written comments received from agencies and public

Havre Public Hearing

- a. Transcript of staff presentation
- b. Questions and answers

Chinook Public Hearing

- a. Transcript of staff presentation
- b. Questions and answers

Harlem Public Hearing

- a. Transcript of staff presentation
- b. Questions and answers

Fort Belknap Public Hearing

a. Questions and answers

Note: Fort Belknap Public Hearing staff presentation was similar to the Harlem Public Hearing, and therefore the Fort Belknap Hearing presentation was not transcribed. Only the questions and answers from the Fort Belknap hearing are included in this appendix.



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DLIS Comments					
Response					
The jurisdictional wetland information has been updated in the FEIS and the 404(b) (1) permit in response to the recent Talent Decision [Headwaters, Inc. v. Talent Irrigation District, 243 F.3d 526 (9th Cir. 2001)]. This information has also been provided by MDT to the COE in a separate letter. The COE responded in a letter dated September 20, 2004, which is included in Appendix B. The COE will delay the final jurisdictional determination on wetlands, including the Talent wetlands, until after the FEIS. Per COE's letter of September 2, 2004, the comments on the least environmentally damaging practicable alternative have been clarified to include the Improved Two-Lane with Passing Lanes alternative. Please refer to the US Army Corps of Engineers most recent letter of September 2, 2004 in Appendix B and included here in the following Comment 2 for reference. MDT/FHWA will continue coordination with the US Army Corps of Engineers on this requirement.					

9/23/2004 Page 1 of 56

No.	Affiliation	Date	Form	Comment	Response
2	COE	9/2/2004	Letter	Dear Mr. Helvik: Thank you for providing additional information on August 24, 2004 regarding the differences between the "Improved Two-Lane" and the "Improved Two-Lane with Passing Lanes" alternatives. As requested in that letter, we are providing clarification regarding the US Army Corps of Engineer's (Corps') Regulatory responsibility and the Two-Lane highway alternatives presented in the Draft Environmental Impact Statement (DEIS) for the US 2 - Havre to Fort Belknap project. After reviewing the additional information, the Corps recognizes that the "Improved Two-Lane with Passing Lanes" alternative appears to have significant safety advantages over the "Improved Two-Lane" alternative. Because of the safety advantages and the small difference in impact on waters of the United States, it has been determined that both of the aforementioned alternatives would satisfy the Section 404(b)(1) Guidelines, and a Section 404 permit could be provided in either case. This determination was based solely on information provided to the Corps by MDT. If you have any questions, contact me or Todd Tillinger of my staff at 406-441-1375, and reference Corps File Number 2002-90-597. Sincerely, Allan Steinle Montana Program Manager	Comment noted. MDT and FHWA will continue coordination with the US Army Corps of Engineers in response to this determination.

9/23/2004 Page 2 of 56

No.	Affiliation	Date	Form	Comment	Response
3	EPA	8/5/2004	Letter	Dear Mr. Helvik:	[1] Comment noted.
				The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Draft Environmental Impact Statement (DEIS) for the US 2, Havre to Fort Belknap, Hill and Blaine Counties, Montana project. The EPA reviews EISs in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. The EPA's comments include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document.	[2] As stated, 73% of all crashes in the Harlem West segment involve wildlife. This is a 14.5 km (9 mi) segment that does not contain any bridge structures; therefore, there is no opportunity to provide wildlife passage under a bridge. In other segments with bridges, the opportunity to provide a wide enough span to enable movement of wildlife along the drainage will be investigated during final design and in consultation with MFWP. The use of fencing to direct wildlife to these drainage crossings was not considered appropriate in general for this corridor because the topography is relatively flat and the wildlife is not concentrated in any specific area but is scattered throughout this rural corridor. This information has been clarified in
				The DEIS indicates that the Federal Highway Administration (FHWA)	Section 4.3.7, Wildlife and Aquatic Species, of the FEIS.
				prefers the Improved Two-Lane with Passing Lanes Alternative, while the Montana Dept. of Transportation's (MDT) preferred alternative is a fourlane facility. The EPA believes that the DEIS clearly shows that existing and future traffic volumes do not warrant a four-lane facility, and that the two-lane highway alternatives fulfill the project purpose and need, and that the two-lane alternatives have fewer adverse environmental impacts than the four-lane alternatives. In addition, the two-lane alternatives are substantially less costly, and an economic analysis referenced in the DEIS reports that capacity improvements to U.S. 2 are unlikely to induce development, and none of the alternatives would create substantial growth in the economy of the area. The four-lane alternatives, therefore, would offer no improvement to the regions economy and potential for	[3] The impact to Battle Creek resulting from new bridge construction for the four-lane alternatives should be temporary and mitigated with proper design and adherence to permits and BMPs. The current bridge design is too preliminary at this stage to address riparian restoration. Unlike the four-lane alternatives, the two-lane alternatives (including the preferred alternative) do not require construction of a bridge at Battle Creek and, therefore, there would not be any disturbance at Battle Creek. Coordination with MDEQ regarding TMDL development for impaired water bodies will be conducted during final design.
				future growth over the improved two-lane alternatives.	[4] MDT and FHWA will continue coordination with USCOE, MFWP,
				[1] The EPA would have serious concerns regarding the selection of a four-lane alternative to improve U.S. Highway 2 when it is clear that a four-lane highway is not necessary to meet existing and future traffic volumes, and would result in additional adverse environmental impacts.	USFWS and the Montana Interagency Highway Wetlands Group. In consultation with these agencies, the wetland mitigation plan will be developed during final design when there is more detailed design information.
				It is also clear that the four-lane alternatives would cost significantly more to build, and offer no improvement to the regions economy and potential for future growth over the improved two-lane alternatives. Our more detailed comments (see enclosed) include additional information and	[5] Comment noted. The preferred alternative in the FEIS for both MDT and FHWA is the Improved Two-Lane with Passing Lanes Alternative.
				discussion demonstrating that a two-lane alternative should be preferred over a four-lane alternative.	[6] Please see responses above and to the detailed comments that follow.
				[2] The DEIS reports that 43% of all crashes in the project area have occurred with a wild animal, and indicates that the public stated that deer are the primary cause of accidents along the highway. While we agree that increased sight distance with proposed clear zone improvements	[7] Comments noted. The Improved Two-Lane with Passing Lanes was selected by MDT and FHWA as the preferred alternative in the FEIS.
				would help drivers avoid wildlife and may decrease animal related accidents, we believe the accident history shows there is a need to	[8] Comments noted.
				develop additional road improvements that will deter wildlife crossing and/or decrease wildlife-vehicle collisions (e.g., particularly in the Harlem	[9] Comments noted.
				West segment where 73% of all crashes involve wildlife vehicle	[10] Comments noted and as suggested by EPA, there are other

collisions). Since wildlife are attracted to and follow drainages in the

corridor, we recommend that bridge structures be considered for wildlife

highways in Montana with higher accident rates and, therefore, may

have a greater need for safety improvements. However, improved

Response

passage in areas where there is high wildlife use (i.e., assure that bridges are wide enough to span upland areas as well as wetted areas to enable movement for wildlife, and use fencing in appropriate locations to help direct wildlife to use bridges under the roadway for crossings).

[3] We also note that it is important that impaired waters on Montana's 303(d) list (i.e., Milk River and Battle Creek) are not further degraded, and that proposed highway improvement activities be consistent with Total Maximum Daily Loads (TMDLs) and water quality restoration plans for these impaired waters. Riparian degradation and siltation are listed among the probable causes of water quality impairment in Battle Creek. Efforts should be made to avoid worsening riparian degradation and siltation in Battle Creek, and if riparian degradation and siltation may occur, additional actions should be included with the project to compensate for such impacts (i.e., control existing sources of pollution to offset pollutant addition from road construction so that no worsening of water quality occurs).

It is not clear how riparian degradation and siltation of Battle Creek would be mitigated above and beyond typical erosion control activities, and/or if activities are proposed to avoid or compensate for potential degradation of Battle Creek. Mitigation measures, BMPs or restoration actions that will avoid or compensate for riparian degradation and siltation of Battle Creek during road construction should be more specifically identified. In addition, we recommend that the MDT/FHWA contact the Montana Department of Environmental Quality (i.e., Carole Mackin at 444-7425 and Rebecca Ridenour at 444-0715 in Helena) to ensure MDEQ concurrence on, and coordination of proposed activities with the MDEQ's TMDL development for impaired 303(d) listed water bodies.

[4] We also recommend that a detailed Wetland Mitigation Plan providing for adequate replacement of lost wetland functions and values be prepared when a final preferred alternative is identified. This Plan should be approved by the appropriate agencies before implementation of the proposed project. We recommend that the Wetland Mitigation Plan contain a statement of goals, a monitoring plan, long-term management/protection objectives and a commitment to conduct additional work, if required, to meet the goals of the Plan. We encourage inclusion of a summary or outline of the Wetland Mitigation Plan in the FEIS (perhaps as an appendix), and encourage consultation with the Montana Interagency Highway Wetlands Group for wetland mitigation efforts to facilitate interagency agreement on the proposed mitigation plan for replacement of wetland functions and values.

We are enclosing our additional and/or more detailed comments, questions, and concerns regarding this DEIS for your review and consideration. Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the U.S. 2 Havre to Fort Belknap DEIS has been rated as Category EC-2 (Environmental

safety is also a need for the US 2 corridor from Havre to Fort Belknap.

- [11] See response to Point 2.
- [12] The Wildlife and Aquatic Species section of Chapter 4 of the FEIS has been revised to identify the additional distance for crossing the highway. Although the improvements would widen the highway, fragmentation of habitat currently exists due to the railroad and US 2.
- [13] The Water Resources and Water Quality section of Chapter of the FEIS has been revised to clarify that the removal of reparian habitat at Battle Creek would only occur in the four-lane alternatives with the implementation of a new bridge. The two-lane alternatives, including the preferred alternative, would use the existing bridge and, therefore, would not have the same impacts.
- [14] See response to Point 3 of this comment.
- [15] Comments noted.
- [16] Comments noted.
- [17] Coordination with MDEQ regarding TMDL development for impaired water bodies will be conducted during final design.
- [18] Comments noted. As discussed in points 3 and 13 of this comment, the Battle Creek bridge would be reused under the two-lane alternatives. A new bridge would be constructed adjacent to the existing bridge under the four-lane alternatives.
- [19] MDT will coordinate timing requirements with permitting agencies prior to construction. Additional language regarding bridge design has been added to the Water Body Modifications section in Chapter 4 of the EIS: "Bridge spans will be designed following FHWA, MDT, and 23 CFR 650A guidelines and requirements. Bridge openings will be designed to span active channels and minimize floodplain impacts. Further, bridge openings will be designed to minimize scour and avoid sediment deposition above stream crossings. Culverts will be designed to accommodate fish passage at all crossings with known fisheries species as documented by MFWP.
- [20] The Draft EIS contains mitigation language responding to the MFWP comments mentioned here. In the Wildlife and Aquatic Species section of Chapter 4 of the EIS, mitigation language states that a) Clear Creek bridge will be replaced with a structure capable of fish passage, and the structure will be sized appropriately based on hydraulic design; b) fish passage will be provided at Red Rock Creek; and c) if a four-lane alternative is implemented and requires a new bridge over the Milk River at RP 397.8 east of Lohman, MDT will

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Concerns - Insufficient Information). A copy of EPA's rating criteria is attached.

[5] Our primary environmental concerns regard the MDT's preference for a four-lane highway alternative to improve U.S. Highway 2 when it is clear that a four-lane highway is not necessary to meet existing and future traffic volumes, and would result in additional adverse environmental impacts. The four-lane highway would also cost significantly more to build, and would not create substantial growth in the economy.

[6] EPA also recommends measures to reduce wildlife-vehicle accidents, and we believe that mitigation measures, BMPs or restoration actions that will avoid or compensate for riparian degradation and siltation of 303(d) listed Battle Creek during road construction should be more specifically identified. We recommend consultation with the MDEQ to assure concurrence on proposed highway improvements with TMDL development for the Milk River and Battle Creek. We also recommend development of a detailed wetland mitigation plan.

If we may provide further explanation of our concerns please contact Mr. Steve Potts of my staff in Helena at (406) 457-5022 or in Missoula at (406) 329-3313 or via e-mail at potts.stephen@epa.gov. Thank you for your consideration.

Sincerely,

John F. Wardell Director Montana Office

[EPA Attachment to above letter]

EPA Comments on the Draft Environmental Impact Statement for U.S. Highway 2, Havre to Fort Belknap, Hill and Blaine Counties, Montana

Brief Project Overview:

The Montana Dept. of Transportation (MDT) and Federal Highway Administration (FHWA) have evaluated proposed improvements to U.S. Highway 2 from Havre to Fort Belknap in Hill and Blaine Counties in the Milk River valley in north central Montana (a distance of 44.9 miles). The project purpose and need is to provide an efficient and safe highway that will support economic vitality, reduce roadway deficiencies, and improve safety and traffic operations. The existing roadway has substandard shoulders, inadequate clear zones, steep side slopes, and inadequate distances between the highway and railroad crossings. U.S. 2 is the only continuous east-west roadway in the area and serves as the only link between the communities of Havre, Lohman, Chinook, Zurich, Harlem, and Fort Belknap.

undertake discussion with MFWP concerning future fishing access at this location. The preferred alternative, Improved Two-Lane with Passing Lanes would not require a new bridge in this location. Please note that the Clear Creek rubble dam downstream of the railroad bridge is outside of the project area.

[21] The following language has been added to the Waterbody Modifications section in Chapter 4 of the EIS: "Bridge spans will be designed following FHWA, MDT, and 23 CFR 650A guidelines and requirements. Bridge openings will be designed to span active channels and minimize floodplain impacts. Further, bridge openings will be designed to minimize scour and avoid sediment deposition above stream crossings. Culverts will be designed to accommodate fish passage at all crossings with known fisheries species as documented by MFWP."

[22] Comments noted. The recommendation for sediment traps and vegetative filters near streams and wetlands will be considered during final design.

[23] Contractors will coordinate with the appropriate agencies to obtain all applicable permits for staging and borrow material sources. These issues would be addressed in their permit process.

[24] Comments noted.

[25] Due to the time sensitive nature and the need for specific data in securing a 404(b)(1) permit, separate permits will be requested upon final design of each section of the corridor. Also, obtaining separate permits during final design will allow MDT to fully investigate all avoidance, minimization, and mitigation on a project. This may not have been possible at the time of approval of a single 404(b)(1), due to the conceptual level of design in the EIS.

[26] MDT and FHWA will continue to coordinate with the US Army Corps of Engineers (COE). Please refer to the COE letters in Comments 1 and 2. Also, refer to response in Point 4.

[27] As stated in the Hazardous Materials section of Chapter 4 of the EIS, the Fifteen Mile Creek bridge would require replacement. This bridge will not be rehabilitated unless adopted by another entity; such entity would be required to comply with standards for disposal of lead-based paint upon refurbishment.

[28-30] Comments noted.

[31] The Air Quality sections in Chapter 3 and 4 of the EIS have been revised to include more detailed discussion of impacts to air quality in the project area.

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The DEIS evaluates five alternatives including no action or the no build alternative involving no improvements to U.S. 2, which provides a baseline for comparison with the build alternatives. Under all build alternatives the highway shifts to the south through Lohman to provide increased distances between the railroad and the highway at the railroad crossing.

The Improved Two-Lane Alternative would provide an improved two-lane highway in rural segments of the project corridor, with 12-foot travel lanes and 8 foot shoulders (total paved width of 40 feet). Left turn passing lanes would be added at some intersections. Within communities the roadway section would vary to accommodate local traffic operations and minimize environmental and social impacts. Estimated costs are \$69.7 million.

The Improved Two-Lane with Passing Lanes Alternative would provide the same improved two-lane highway in as the Improved Two-Lane Alternative, but would add an intermittent passing lane in rural portions of the corridor (paved width of 52 feet where passing lanes proposed). Estimated costs are \$73.4 million.

The Four-Lane Undivided Alternative would provide a four-lane undivided highway without a median between opposing travel lanes (64 feet paved width). Left turn passing lanes would be added at some intersections. Within communities the roadway section would vary to accommodate local traffic operations and minimize environmental and social impacts. Estimated costs are \$94.5 million.

The Four-Lane Divided Alternative would provide a divided four-lane highway in rural portions of the corridor with four 12 foot travel lanes and 8 foot outside shoulders, and a 28 foot landscaped median with 4 foot inside shoulders (total width of 100 feet). Within communities the roadway section would vary to accommodate local traffic operations and minimize environmental and social impacts. Estimated costs are \$106.8 million.

Comments:

Alternatives

[7] 1. The DEIS indicates that the Federal Highway Administration (FHWA) prefers the Improved Two-Lane with Passing Lanes Alternative (page ES-4), while the Montana Dept. of Transportation's (MDT) preferred alternative is a four-lane facility (page ES-3). The EPA believes that the DEIS clearly shows that existing and trure traffic volumes do not warrant a four-lane facility (page ES-41), and that the two-lane highway alternatives fulfill the project purpose and need (page ES-4), and have fewer adverse environmental impacts that the four-lane alternatives (Table ES-1). In addition the two-lane alternatives are substantially less costly (page ES-23), and an economic study referenced in the DEIS (ICF

[32] Comments noted.

[33] Language has been added to the Construction Impacts section of Chapter 4, under "Vegetation", stating that "Temporarily impacted lands from construction activities have an increased susceptibility to noxious weed invasion." The mitigation section has also been updated to reflect MDT Standard Special Provision F3, which states, "Clean equipment and trucks of contaminated soil or noxious weed seeds before moving from noxious weed infested areas to areas free of noxious weeds."

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Consulting 2003, page 4-29) indicates that capacity improvements to U.S. 2 are unlikely to induce development, and none of the alternatives would create substantial growth in the economy.

The EPA would have serious concerns regarding the selection of a four-lane alternative to improve U.S. Highway 2, when it is clear that a four-lane highway is not necessary to meet existing and future traffic volumes; would result in additional adverse environmental impacts; would cost the significantly more to build; and would not create substantial growth in the economy of the area. Additional information in the DEIS demonstrating that a two-lane alternative should be preferred over a four-lane alternative includes the following:

- The DEIS states that an economic study conducted for this project concluded that capacity improvements to US 2 are unlikely to induce development, and that safety and operational improvements could help sustain the regions economy and ensure the potential for future growth (page ES-8). It is further stated that none of the alternatives are likely to create substantial growth in the major sectors of the economy, since growth is dependent on many factors other than the condition of US 2 (e.g., distance to markets, lack of capital, and market demand constraints). Thus, the four-lane alternatives would offer no improvement to the regions economy and potential for future growth over the improved two-lane alternatives. This seems to invalidate the premise of Senate Bill 3 that construction of four-lane highway along US 2 would induce economic development and growth in the region.
- Impacts to wetlands are greater with the four-lane alternatives (the Improved Two-Lane impacts 9.7 total acres of wetlands, with 5.9 acres of iurisdictional wetlands and 3.8 acres of non-iurisdictional wetlands: the Improved Two-Lane with Passing Lanes impacts 10.2 total acres of wetlands, with 6.4 acres of jurisdictional wetlands and 3.8 acres of noniurisdictional wetlands: the Four-Lane Undivided impacts 12.7 total acres of wetlands, with 7.9 acres of jurisdictional wetlands and 4.8 acres of nonjurisdictional wetlands; and the Four-Lane Divided impacts 17.3 total acres of wetlands, with 9.7 acres of jurisdictional wetlands and 7.6 acres of non-jurisdictional wetlands; page ES-25). Clean Water Act Section 404 Dredge and Fill Permit rules and policies involving placement of fill material in waters of the U.S., including wetlands, require that adverse impacts to aquatic resources be avoided as much as possible, and the least damaging practicable alternative to aquatic resources be permitted so long as that alternative does not have other significant adverse environmental consequences (40 CFR 230.10(a)).
- Additional longitudinal encroachments upon the Milk River floodplain beyond the existing 12.4 miles of floodplain encroachment are greatest with the four-lane alternatives (the Improved Two-Lane impacts an additional 5.6 miles of floodplain; the Improved Two-Lane with Passing Lanes impacts an additional 6.2 miles of floodplain; the Four-Lane Undivided impacts an additional 7.0 miles of floodplain; and the Four-

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Lane Divided impacts an additional 11. miles of floodplain; pages ES-25, 4-104).

- Business displacements and impacts to structures and businesses in Chinook would be greater with the four-lane alternatives, including impacts to eight operating businesses, with the Four-Lane Undivided Alternative that would change the built environment resulting in need for relocation and potential loss of community streetscape and visual identity (page ES-9), and separation of north Chinook from the main town area (page 4-27); and impacts to fourteen operating businesses with the Four-Lane Divided Alternative that would result in virtual loss of the existing community streetscape and visual identity through Chinook with extensive impacts to jobs, availability of services, and land/community cohesion if the businesses did not or could not relocate.
- The four-lane alternatives affect greater levels of prime farmland and farmland of statewide importance (the Improved Two-Lane impacts 85.8 total farmland acres; the Improved Two-Lane with Passing Lanes impacts 89.6 total farmland acres; the Four-Lane Undivided impacts 95.6 total farmland acres; and the Four-Lane Divided impacts 128.1 total farmland acres; page ES-18).
- The four-lane alternatives would also adversely affect additional historic properties (i.e., 5 or 6 historic properties adversely affected by the four-lane alternatives vs. 3 historic properties adversely affected by the two-lane alternatives (page ES-13).
- The four-lane alternatives would result in greater impacts to vegetation due to wider roadway sections, including greater impacts to terrestrial wildlife habitat and greater loss of riparian vegetation (pages ES-24, ES-25).
- The four-lane alternatives would have more extensive disturbances to soils contaminated from leaking underground storage tanks in Chinook and at the Diamond Asphalt Refinery site (page ES-26).
- The four lane alternatives are considerably more costly to build (i.e., \$94.5 million for Four-Lane Undivided, and \$106.8 million for Four-Lane Divided, and \$69.7 million for the Improved Two-Lane, and \$73.4 million for Improved Two-Lane with Passing Lanes, page ES-23). Thus, additional costs to build a four lane road (that traffic projections show is unwarranted) runs from \$21.1 million to \$37.1 million dollars more than the costs of constructing the two-lane alternatives. Procurement of the additional funding to implement the four-lane alternatives would also take more time, which could delay construction of needed roadway improvements (page 4-64).
- While all build alternatives result in a negative net benefit (benefits lower than costs), the benefit-cost ratio is worst for the four-lane alternatives, since benefits are relatively small and far outweighed by the

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higher costs of building the four-lane alternatives (page 4-60).

[8] 2. Thank you for including the discussion of Senate Bill 3 (MCA 60-2-133) which directs MDT to construct a four-lane facility along US 2 in the DEIS (pages ES-12, 3-11). We understand the two-lane alternatives comply with this law if MDT is unable to obtain additional federal funding for a four-lane alternative that does not require state matching funds; and that a special appropriation from Congress (that would require no state match) would be needed to fund a four-lane project on US 2. This information is very helpful to allow understanding of the effects of this legislation on State decision making in regard to this project.

As noted above, we see little information in the DEIS that provides rationale to support the selection of a four-lane US 2 alternative over a two-lane alternative. We also note that the ICF Consulting 2003 economic study (page 4-29) reporting that none of the alternatives would create substantial growth in the economy, brings into question the premise of Senate Bill 3 that a four-lane highway on U.S. 2 would increase tourism and spur economic development in the area.

- [9] 3. The average annual daily traffic (ADT) growth rate between 2007 and 2027 is estimated to be 1 to 2 percent per year (page 4-11), with an increase of only 760 vehicles per day estimated west of Chinook, and 1,250 vehicles per day estimated east of Chinook, over this 20 year period. It is also stated that these are considered "aggressive" growth rates since historic traffic growth rates in the project area are stagnant and population trends are declining. The projected 2027 peak hour level of service (LOS) is still a B even under the no build alternative (Table 4.3). This indicates an acceptable LOS representing reasonably free flow of traffic under the no build alternative, providing evidence that there are likely other highways in Montana with a greater need for improvements in traffic operations. This also clearly shows that building a four-lane highway is totally unnecessary from a traffic and volume standpoint.
- [10] 4. Thank you for including the discussion of roadway deficiencies, safety/crash history analysis, and traffic operations in Chapter 1. The safety/crash history analysis reports that the accident rate for the project area of U.S. 2 is 1.51 compared to a 1.36 statewide average (page 1-18), however, the all vehicle severity index and severity rate and the truck accident rate, severity index and severity rate are lower for this segment of U.S. 2 than the statewide average for rural highways (Table 1.5). This indicates that in some respects the U.S. 2 corridor may be considered safer in comparison to other rural highways in Montana. This safety/crash history analysis may lead one to believe that there are other highways in Montana with a greater need for safety improvements in comparison to this segment of U.S. 2.
- [11] 5. The DEIS states that 43% of all crashes in the five year crash study period occurred with a wild animal (73% of all crashes in the Harlem West segment occurred with a wild animal, pages 1-18, 1-20),

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and that this confirmed public statements that deer are the primary cause of accidents along the highway. We believe it is important, therefore, that adequate mitigation measures be incorporated into the project to reduce risks of wild animal crashes.

While we agree that increased sight distance with clear zone improvements would help drivers avoid crossing wildlife and may decrease animal related accidents, we believe the accident history shows there is a need to develop additional road improvements that will deter wildlife crossing and/or decrease wildlife-vehicle collisions (e.g., particularly in the Harlem West segment where 73% of all crashes involve wildlife vehicle collisions). The DEIS states that wildlife is attracted to and follow the many drainages in the corridor (page 3-6), therefore, bridge structures for wildlife passage should be considered in areas where there is high wildlife use and history of animal-vehicle collisions.

We recommend that the EIS include commitments to use replacement or modification of existing or proposed bridges as opportunities to include design provisions to facilitate safer wildlife crossing and reduce wildlifevehicle accidents (e.g., assuring that bridges are wide enough to span upland area as well as wetted areas to enable movement for terrestrial wildlife species). We also recommend consideration of using tall woven wire fencing in appropriate locations to help direct wildlife to use bridges under the roadway for crossings. While is stated that locations of wild animal related crashes are dispersed throughout all segments of the corridor (page 4-4), there are obviously areas such as the Harlem West segment where risks of animal-vehicle collisions are greater. Table 3.2 (page 3-7) and the associated narrative shows areas with higher animal related accident rates (e.g., five wild animal crashes occurred within 1 mile of RP 394.0, and 10 wild animal crashes occurred within 2 miles of RP 398.0). Such information may help focus the location of potential additional design measures to reduce risks of animal-vehicle collisions.

[12] 6. The DEIS states that impacts to Montana Species of Special Concern, urban and rural wildlife, amphibians and reptiles for the fourlane alternatives would be similar to the improved two-lane alternative (page 4-96). Documentation of analyses to support this finding should be provided, since it would appear to us that a wider four-lane highway, particularly a divided four-lane highway, will have a wider crossing distance for terrestrial wildlife to contend with and could be a greater barrier to species movement across the highway. The four-lane highway alternatives appear to have a higher potential to increase wildlife fragmentation and reduce wildlife connectivity. The potential impacts on wildlife of the four-lane alternatives should be evaluated and discussed further.

Water Resources & Wetlands

[13] 7. Several waterbodies in the project area were listed by the State of

Montana on the Clean Water Act Section 303(d) list of impaired waters (pages 3-47, 3-48). These include the Milk River (MT40J001_010), Battle Creek (MT40J004_010), Lodge Creek (MT40J003-1) and Little Box Elder Creek (MT40J002-3), which were all listed on Montana's 1996 list of impaired waters in need of TMDL development. More recent reassessments recognized that insufficient data was available for Lodge Creek and Little Box Elder Creek to assess impairments of beneficial uses (2002 list and draft 2004 303(d) lists).

The DEIS indicates that none of the build alternatives are likely to adversely affect 303(d) listed waters (page 4-79), although it is stated that loss of riparian vegetation would occur at Battle Creek (page 4-97), and removal of riparian vegetation at Battle Creek could exacerbate riparian degradation and siltation of the creek (page 4-80). The DEIS also states that these impacts would be mitigated through design to have minimal long-term water quality impacts (page 4-80). The mitigation section indicates that the Storm Water Pollution Prevention Plan (SWPPP), requiring identification of BMPs to control erosion and stormwater runoff, and the provision that no unnecessary operation of equipment occur within the channels of creeks and rivers, are the primary means of mitigating water quality impacts (4-120). It is also stated that revegetation of stream banks will be considered during final design. (page 4-83).

We are pleased that MDT will incorporate a Storm Water Pollution Prevention Plan (SWPPP) and BMPs into the construction project. It will be important to reduce and control highway runoff, sedimentation and pollutant loading, as well as address other potential impacts to water quality, wetlands and riparian areas with a comprehensive SWPPP and BMPs. Roadway construction, operation, and maintenance can impact streams, wetlands and riparian areas from runoff, disruption of drainage patterns, stockpiling of materials in staging areas, maintenance of construction and maintenance equipment, and snow plowing and sanding of roads or use of salt and deicers.

[14] It is important that impaired waters on Montana's 303(d) list are not further degraded, and that proposed highway improvement activities are consistent with TMDL development and water quality restoration plans. Riparian degradation and siltation are listed among the probable causes of water quality impairment in Battle Creek, and therefore, special care needs to be taken to avoid and minimize impacts to riparian vegetation along Battle Creek. Efforts should be made to avoid worsening riparian degradation and siltation in Battle Creek, and if riparian degradation and siltation may occur, additional actions should be included with the project to compensate for such impacts (i.e., control existing sources of pollution to offset pollutant addition from road construction, so that no worsening of water quality occurs).

It is not clear how riparian degradation and siltation of Battle Creek would be mitigated above and beyond typical erosion control activities, and/or if activities are proposed to avoid or compensate for potential degradation of Battle Creek (i.e., riparian restoration and/or reduction of existing siltation sources to Battle Creek as a means to compensate or offset riparian loss and sediment production that may occur during road construction). We believe that mitigation measures, BMPs or restoration actions that will avoid or compensate for riparian degradation and siltation of Battle Creek during road construction should be more specifically identified. We also recommend that the MDT/FHWA contact the Montana Department of Environmental Quality (i.e., Carole Mackin at 444-7425 and Rebecca Ridenour at 444-0715 in Helena) to ensure MDEQ concurrence on, and coordination of proposed activities with the MDEQ's TMDL development for impaired 303(d) listed water bodies.

- [15] We also support the conduct of watershed or aquatic habitat restoration activities to compensate for past impacts of highways to aquatic resources, particularly in watersheds with 303(d) listed waters where highways may have contributed to aquatic impairments through past channelization, riverine or floodplain encroachments, sediment delivery during construction, and other activities that may have affected channel stability, water quality, aquatic habitat, and designated waterbody uses.
- [16] We note that there are 12.4 miles of existing longitudinal encroachments of US 2 into the Milk River floodplain, and that proposed alternatives would result in additional floodplain encroachment (the Improved Two-Lane impacts an additional 5.6 miles of floodplain; the Improved Two-Lane with Passing Lanes impacts an additional 6.2 miles of floodplain; the Four-Lane Undivided impacts an additional 7.0 miles of floodplain; and the Four-Lane Divided impacts an additional 11. miles of floodplain; pages ES-25, 4-104). It is important to restore and preserve the natural and beneficial effects of floodplains, and avoid and/or minimize additional encroachments into floodplains.
- [17] It would be appropriate for MDT to work with the MDEQ as it develops Total Maximum Daily Loads (TMDLs) and associated water quality restoration plans for 303(d) listed streams in the project area to seek opportunities for water quality restoration (e.g., contact Robert Ray at 444-5319, Jeff Ryan at 444-4626, Carole Mackin at 444-7425, and/or Rebecca Ridenour of MDEQ at 444-0715).
- [18] 8. There are 32 bridges within the project corridor (page 1-16), and 29 of these bridges are narrow and are recommended for replacement (i.e., it is our understanding that all but the Milk River bridge which is currently being replaced, and the Battle Creek bridge and Harlem Canal bridge will be replaced). The DEIS states that new structures would be designed to minimize disturbance to stream hydrology, banks and channel reshaping (page 4-107), although some in-channel construction work would be required that may increase erosion (page 4-81).
- [19] We recommend that bridge construction work be conducted during

periods of low stream flow in late summer or early Fall, and avoid and minimize impacts on the stream channel during construction. Special care should be taken to avoid or minimize impacts to riparian vegetation as much as possible, particularly in 303(d) listed Battle Creek. It will also be important to assure that the bridge designs accommodate flood flows with no substantial changes to flood elevations, and bridge designs should match hydraulic traits of the natural stream, and provide for fish passage.

[20] We note that the Montana Dept. of Fish, Wildlife, & Parks (MDFWP) has emphasized the need for the bridge structures on Clear Creek and Red Rock Creek to provide for fish passage, and they also recommend correction of fish passage problems on the Clear Creek rubble dam immediately downstream from the railroad bridge (Appendix B). MDFWP also notes the need to avoid impacts to an outstanding fishing hole below the existing Milk River bridge.

[21] Bedload transport should also be an important design criterion for all bridges (and culverts) to avoid sediment deposition above stream crossings or scour below stream crossings. We support provision of an adequate span on bridge crossings to minimize encroachment upon the river channel, riparian area, and floodplain. Size and configuration of bridges should reduce floodplain encroachment (e.g., construction of bridges on pilings, as opposed to fill, can reduce encroachment). Bridges or open bottom arch culverts that allow natural stream bed substrate and stream grade, and sufficient width and capacity to pass flood flows and bedload transport with minimal encroachment upon the river channel and riparian area are preferred. We also recommend that all culverts simulate the natural stream grade and substrate as much as possible.

As noted above, bridges with wide spans also afford opportunities for wildlife passage, and reduced wildlife-vehicle collisions.

[22] 9. The DEIS discloses that maintenance activities such as application of herbicides, mowing, and winter maintenance such as snowplowing and application of sand, salt, and chemical deicers have the potential to introduce sediment, materials and chemicals into streams (page 4-81). We agree, and note that snow plowing subsequent to sanding moves sand off the roadbed to the adjacent ditch line and fill slopes, filling depressions and ditches and widening shoulders, which can have adverse effects upon streams, wetlands, and riparian areas. The impacts of winter maintenance activities are more a matter of a long-term indirect and cumulative effects than any one incident.

We are pleased that BMPs for winter maintenance operations such as using mechanical brooms to pick up sand are identified (page 4-83). We recommend that sediment traps and vegetative filters near streams and wetlands also be used to capture sediment before it can enter streams and wetlands. Also, while we realize winter maintenance operations such as road sanding and snow plowing are important for winter highway

safety it is important that maintenance crews be trained to minimize adverse impacts to streams and wetlands. We note that there is training available for road maintenance crews regarding conduct of road maintenance in a manner that protects streams and wetlands (contact, Montana Local/Tribal Technical Assistance Program at Montana State University, Steven J. Jenkins, P.E., at 406-994-6100 or 1-800-541-6671).

[23] 10. Thank you for including Tables 4-19 and 4-20 (pages 4-84, 4-85) and Appendix H summarizing impacts to jurisdictional and non-jurisdictional wetlands for each alternative, and a draft 404(b)(1) analysis in Appendix E. We are also pleased to see discussion of measures to avoid and minimize impacts to wetlands (page 4-88). We note that impacts to wetlands should include impacts associated with gravel mining or excavation of borrow material for road bed construction and with stockpiling of materials in staging areas and disposal of waste materials Excavation of borrow material to meet construction needs may also provide opportunities for wetland mitigation (i.e., wetland creation).

[24] As noted earlier, Clean Water Act Section 404 Dredge and Fill Permit rules and policies involving placement of fill material in waters of the U.S., including wetlands, require that adverse impacts to aquatic resources be avoided as much as possible, and the least damaging practicable alternative to aquatic resources be permitted so long as that alternative does not have other significant adverse environmental consequences (40 CFR 230.10(a)).

In regard to permits the Army Corps of Engineers, U.S. Fish & Wildlife Service, EPA, Montana Dept. of Fish, Wildlife and Parks and Montana Dept. of Environmental Quality should all be contacted to assure that proper authorizations and permits are obtained prior to construction (e.g., 404 permits, 310 or 124 permits, short term turbidity exemptions, etc.,). We suggest contacting Todd Tillinger of the Corps of Engineers in Helena at 406-441-1375; Jeff Ryan of the MDEQ at 406-444-4626; and Scott Jackson of the USFWS in Helena at 406-449-5225, and Kristine Knutson of EPA at 406-457-5021.

[25] EPA recommends consideration of a single 404 permit to cover the dredge and fill permitting for the entire project due to the numerous aquatic impacts. We feel this is preferred over issuance of a combination of numerous individual and nationwide permits, since it may allow for improved cumulative effects evaluation as well as to reduce paperwork and permit processing time, and assure that all necessary permits for dredge and fill activities can be obtained for the full project.

[26] 11. We are also pleased that wetland mitigation is being planned to mitigate unavoidable wetland losses, and that a potential wetland mitigation site has been identified northeast of Chinook, and that MDT is consulting with the COE regarding wetland replacement ratios and will coordinate with the Montana Interagency Wetlands Group and other appropriate agencies (page 4-90). The goal of wetland mitigation should

be to replace the functions and values of lost wetlands in areas adjacent to or as close as possible to the area of wetlands loss. EPA/Corps policy has accepted acre-for-acre replacement of wetlands as a surrogate for replacement of functions and values when there is a lack of definitive information on functions and values, although adjustments may be necessary to reflect the expected degree of success of mitigation, and provide an adequate margin of safety (i.e., greater than acre-for-acre replacement is suggested when impacted wetlands have high function & value and likelihood of replacement is low).

When a final preferred alternative is identified in the FEIS, we recommend that a detailed Wetland Mitigation Plan providing for adequate replacement of lost wetland functions and values be prepared. This Plan should be approved by the appropriate agencies before implementation of the proposed project. We recommend that the Plan contain a statement of goals, a monitoring plan, long-term management/protection objectives and a commitment to conduct additional work, if required, to meet the goals of the Plan. We encourage inclusion of a summary or outline of the Wetland Mitigation Plan in the FEIS (perhaps as an appendix).

Hazardous Materials

[27] 12. The DEIS states that the Fifteen Mile Creek bridge is likely to have been painted with lead-based paint (page 3-72). Is this bridge going to be torn down and replaced, or will the existing bridge be refurbished with lead based paint removed?

If lead based paint stays on the steel girders the girders may be disposed of as scrap metal (i.e., there is an exemption for construction debris coated with lead based paints). However, if the old lead based paint is to be removed from the bridge via scraping or sandblasting, the scraping or sandblasting residue will have to be characterized to determine if it is a regulated hazardous waste (most likely with Toxicity Characteristics Leaching Procedures or TCLP). Bridge construction techniques that capture sandblasting residue may be needed. We suggest that you contact Mr. Bob Reinke of the Montana Dept. of Environmental Quality in Helena at 406-444-1435 for further information on hazardous waste identification and disposal requirements. Mr. Bruce Cooper of EPA in Denver at (303) 312-6028 is an EPA contact on lead toxicity issues. We also note that OHSA requirements for worker protection should be followed.

[28] 13. The Diamond Asphalt refinery site on the State Superfund list (Montana Comprehensive Environmental Cleanup and Responsibility Act, CECRA) with tar contaminated soils and ground water contamination is within the project corridor (page 3-71). We suggest that you contact Ms. Denise Martin of the Montana Dept. of Environmental Quality in Helena at 406-444-5060 for further information on any requirements for road construction work that may impact CECRA sites.

[29] 14. The DEIS indicates that underground storage tanks along the project corridor may have potential for soil or ground water contamination (page 3-72). We suggest that you contact Ms. Andreas Hochhalter of the Montana Dept. of Environmental Quality in Helena at 406-444-1416 for further information on any requirements for road construction work that may impact underground storage tanks.

[30] 15. Thank you for discussing abandoned commercial, agriculture and residential structures within the project area that may contain asbestos (page 3-73). We suggest that you contact Mr. John Podolinsky of the Montana Dept. of Environmental Quality in Helena at 406-444-2690 for further information on any requirements for road construction work that may impact structures that may contain asbestos. Mr. Robert Vick of EPA in Denver is a contact for asbestos toxicity issues at (303) 321-6204.

Air Quality

[31] 16. It is acknowledged that the amount of traffic on this corridor is very light and it is extremely unlikely that excessive air pollution would result from any of the alternatives, and the DEIS includes little analysis of air quality (4-71). However, we believe the EIS should include some analysis of air quality impacts. At a minimum the FEIS should include some qualitative impact assessments, and ideally some emissions analysis of the highway and any other air pollution sources should be completed. Emissions estimates can easily be estimated using EPA's Mobile model, and stationary sources estimated using any number of methods if no figures are available.

Compliance with the National Ambient Air Quality Standards (NAAQS) is required as noted in the DEIS (page 3-40). However, any impacts, or lack thereof, on air quality should be assessed and information available regarding the affected environment (current conditions) should be presented. Particular attention should be given to any areas along the corridor where people live near the highway (within 1000 feet) or where schools, hospitals, or elderly care facilities are near the facility. Residents and sensitive populations may be adversely impacted now or in the future and this should be discussed or the absence of these conditions should be noted. If you have questions regarding air quality analysis please contact Mr. Jeffrey Kimes at EPA's Denver Office at 303-312-6445.

Environmental Justice

[32] 17. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations", requires that Federal agencies make environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations

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and low-income populations. The Executive Order makes clear that its provisions apply fully to Native Americans. We are pleased that the DEIS states that the Fort Belknap Reservation would not be adversely impacted by any build alternatives; there would be no right-of-way acquisition on tribal land; relocation impacts would not disproportionately affect minority communities of Fort Belknap or Harlem; and there would be no disproportionately high and adverse human health and environmental effect on minority populations due to relocations (pages 4-41, 4-42).

Weed Management

[33] 18. We suggest including a brief section on management of noxious weeds during construction in Section 4.4 (Construction Impacts). EPA supports control of noxious weeds, which are a great threat to biodiversity, and can out-compete native plants and produce a monoculture that has little or no plant species diversity or benefit to wildlife. Noxious weeds tend to gain a foothold where there are ground disturbances such as construction. We support plans to revegetate disturbed areas (reseed with native grass mix). Where no native, rapid cover seed source exists, we recommend using a grass mixture that does not include aggressive grasses such as smooth brome, thereby allowing native species to eventually prevail. Mr. Phil Johnson, Botanist, Montana Dept. of Transportation, in Helena at 406-444-7657, may be able to provide guidance on revegetation with native grasses.

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No.	Affiliation	Date	Form	Comment	Response
	DOI - Office of Environmental Policy and Compliance	8/19/2004	Letter	Dear Mr. Helvik: Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS) and Section 4(f) Evaluation for US 2 Reconstruction, Havre to Fort Belknap in Hill and Blaine Counties, Montana. The Department of the Interior has reviewed to document and offers the following comments. We recognize and appreciate the extent of public and agency participation initiated by the Federal Highway Administration and the Montana Department of Transportation with affected parties on this project, including various Federal, state, local agencies and organizations, and the general public. We are especially pleased that tribal consultations and an ethnographic resource study were conducted for this project, as well as a complete cultural resource inventory with Section 106 consultation. We encourage continued coordination with the Montana State Historic Preservation Office throughout the remaining environmental analysis and project implementation. Because a Preferred Alternative was not selected for the Section 4(f) Evaluation, we cannot concur at this time that there is no feasible or prudent alternative to the Preferred Alternative selected in the document, or that all measures have been taken to minimize harm to the affected resources. We understand that both the Draft Environmental Impact Statement and Section 4(f) Evaluation will be updated following selection of a Preferred Alternative, at which time we look forward to reviewing the updates. For further information concerning cultural resource matters, please contact Ms. Cheryl Eckhardt, National Park Service, P.O. Box 25287, Denver, Colorado, 80225, telephone: 303-969-2851. Sincerely, Willie R. Taylor Director, Office of Environmental Policy and Compliance	Comments noted. A copy of the FEIS and Section 4(f) Evaluation with a preferred alternative will be provided for review.

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No.	Affiliation	Date	Form	Comment	Response
5	US Fish and Wildlife Service	8/11/2004	Letter	This is in response to a letter from the Montana Department of Transportation (Department) dated June 18, 2004, that transmitted the Draft Environmental Impact Statement (DEIS) for the US Highway 2: Havre to Fort Belknap project (PLH-TCSP 1-6(44)384; Control No. 4951). This project would entail reconstructing approximately 72 kilometers of US Highway 2 in Hill and Blaine Counties, Montana with new horizontal and vertical alignments. The letter requested written comments from the US Fish and Wildlife Service (Service), as a cooperating agency, to be considered when selecting the final preferred alternative and when developing the Final EIS for this project. These comments have been prepared under the authority of, and in accordance with, the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.)	Comments noted.
				The DEIS describes the five alternatives proposed for this project: no-build; improved two-lane; improved two-lane with passing lanes; four-lane undivided; and four-lane divided. All of the build alternatives would fulfill the purpose of and need for the project. The Department's preferred alternative is a four-lane facility, while the Federal Highway Administration prefers the improved two-lane with passing lanes alternative.	
				The Milk River parallels US Highway 2 in this area, and is crossed twice by the highway within the project area. In addition, six creeks, several irrigation canals, and a number of unnamed drainages and oxbow lakes are traversed by the project corridor. Because of the proximity of the project corridor to these aquatic features, there will be a number of aquatic impacts associated with any of the build alternatives. However, there are clear and substantial differences in the degree to which these resources are impacted, depending on the alternative chosen. For instance, there are three types of wetland resources described in the DEIS that would be impacted by reconstruction of this highway; jurisdictional wetlands, non-jurisdictional wetlands, and non-jurisdictional ditches and canals. Impacts to these types of wetland resources would increase 64 percent, 100 percent, and 67 percent, respectively, if the fourlane divided alternative is compared to the improved two-lane alternative.	
				The Service earlier reviewed the biological assessment for this project and, in a letter dated April 6, 2004, provided our concurrence with the Department's determination that any of the five alternatives proposed for this project would not be likely to adversely affect threatened bald eagles (Haliaeetus leucocephalus). It was noted in that letter that of the four build alternatives proposed, the improved two-lane alternative would have the highest likelihood of disturbing bald eagle habitat. Because of the fact that a four-lane highway is larger and incorporates more area than a two-lane facility, this same trend is also apparent when habitat impacts of other fish and wildlife species are examined.	
				Based on our review of information in the DEIS, it appears that a two-lane option would safely and adequately accommodate existing and projected future traffic volumes and would not restrict future economic development	

No.	Affiliation	Date	Form	Comment	Response
				of the Highway 2 corridor. The Service believes that the information in the DEIS plainly demonstrates that the two-lane alternatives are less costly to construct and would create fewer impacts to valuable resources such as wetlands and wildlife while fully meeting the purpose and need of this project. The DEIS does not seem to demonstrate that a four-lane facility is the most logical alternative to be carried forward as the preferred alternative for this project.	
				Thank you for the opportunity to review and comment on this document. If you have any questions about this letter, please contact Scott Jackson, of my staff, at 406-449-5225, extension 201.	
6	Bureau of Indian Affairs	8/12/2004	Letter	Thank you for availing to the Bureau of Indian Affairs (BIA) the opportunity to review and comment on the subject document. The BIA is satisfied with the Draft Environmental Impact Statement in its present form and has no comments or issues with the document.	Comments noted.
				The BIA looks forward to continued cooperation and participation with the State in this environmental review process. Do not hesitate to contact me should you have any comments or questions. I may be reached at 406-247-7998, ext 253. You may also contact Mr. Rick Stefanic at 406-247-7911.	
7	Montana Fish, Wildlife & Parks	8/6/2004	Letter	Thank you for the opportunity to comment on the above referenced EIS. While preparing this EIS, MDT personnel were in close contact with our fisheries and wildlife biologists in the Havre Area Resource Office, soliciting input on potential impacts to both the fisheries and wildlife resources that could be affected by the proposed highway expansion. The EIS describes these potential impacts to the wildlife and fisheries habitat occurring along the Highway 2 corridor and proposes measures to mitigate significant impacts caused by the various road expansion alternatives. We would respectfully request to be consulted on specific mitigation measures that are required in the future in terms of potential sites and projects such as wetland development and river modifications at bridge crossings and riparian habitat enhancements.	Comments noted. Text has been added to sections on Water Resources and Water Quality, Wetlands, and Waterbody Modifications in Chapter 4 of the FEIS. The text references consultation with MFWP on issues including wetland development and river modifications at bridge crossings and riparian habitat enhancements.
				We hope to continue to work together to protect and enhance the wildlife and fisheries resources.	
8	MDEQ	8/12/2004	Email	The Department of Environmental Quality (DEQ) sent the Department of Transportation (MDT) comments on its preliminary draft environmental impact statement regarding the proposed reconstruction of U.S. Highway 2 from Havre to Fort Belknap on May 14, 2004. The DEQ does not plan to send MDT any additional comments regarding this proposed project.	Comments noted.

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No.	Affiliation	Date	Form	Comment	Response
9	MDNRC	8/13/2004	Email	Nothing has changed from the Montana DNRC's viewpoint on this subject. I will reiterate what I had mentioned before. The MDT will have to obtain a right-of-way easement from the DNRC for each tract of state land that is involved within the project. If you should need anything further, please do not hesitate to contact me at the Havre Unit Office at (406) 265-5236 or on my cell phone at (406) 390-4287. Thank you for the opportunity to comment on this project.	Comment noted.
10	SHPO	7/9/2004	Letter	Thank you for the EIS on the US 2, Havre to Fort Belknap highway project. As you may surmise, since no-build would not impact the cultural resources, we are in support of that option. Improved two-lane would be our next choice and so on. We want to thank you for all the consultation on this undertaking which tried all the parties involved. We look forward to mitigation produces if they become unavoidable [sic].	Comments noted. A Memorandum of Agreement (MOA) among FHWA, MDT, and SHPO has been developed to mitigate adverse effects on 24BL1541, the Vincent Pefaur Homestead, resulting from the preferred alternative. Refer to Appendix F for the MOA.

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No.	Affiliation	Date	Form	Comment	Response
11	1 Fort Belknap Indian Community Council	•	Letter	[1] Please accept the following as our comments regarding Phase I of the US Highway #2 Havre - Fort Belknap Draft EIS.	[1] Comments noted.
					The Fort Belknap Indian Community has supported the concept of a four- lane highway along the present route of US Hwy #2 since SB 3's [Senate Bill 3's] introduction, and continue to support this project. The MT/WY (Montana/Wyoming) Tribal Leader's Councils have also passed a resolution of support.
				We support the 4-lane concept for the potential economic development activities which would require a transportation system that would accommodate such activity, the ever expanding tourism market on the Hillian the interest in the state of	[3] MDT and FHWA assume this comment is in reference to Comment 17 - Highway 2 Association letter. See response to Comment 17.
				Line, the increase in agricultural activity, and for health and safety reasons.	[4] Please see response to Point 6 of Comment 16.
				The concept of a four-lane highway across Montana has been called a vision and/or dream of many Montanans. However, this is how many projects start out.	[5] Comments noted.
				[2] I strongly agree with the purpose and need for the project as developed by the CAC [Citizens Advisory Committee] and DEA [David Evans and Associates] which are to:	
				 A. Provide an efficient highway to support economic vitality. B. Reduce roadway deficiencies. C. Improve safety. D. Improve traffic operations. E. Infrastructure development. 	
				[3] We agree with the CAC recommendation that the corridor be analyzed between Seattle and Minneapolis to give a clearer picture of economic potential in the impacted area; and the CAC recommendation of 4 lanes on US Highway #2 across the State of Montana.	
				[4] The economic analysis conclusions are not well representative [sic] when looking at a long-range plan or the impacts of the entire corridor (Minneapolis - Seattle, and taking into consideration the Canadian trade traffic through NAFTA). I do not wholeheartedly agree with the conclusion.	
				[5] Additional reasons to support a 4-lane highway:	
				A. The global economy: If the Hi-line is to be a player in the global economy in regard to their beef, wheat, oil, and natural gas, there must be a good transportation network. B. Mix and match alternatives: I support the concept of a four-lane divided section in the rural areas and to narrow down to 2-3 lanes where needed; for example, through towns. C. The 4-lane highway concept would increase [sic] the economy of the	

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area.

No.	Affiliation	Date	Form	Comment	Response
				D. Provide a safe arterial for the traveling public. E. Better Medical Services to the Hi-Line. F. Montana State University Northern financial impacts to the communities. G. Border Station financial impacts to the communities. H. Homeland Security. I. Farm, Ranch and Community Safety. J. Commerce between Canada and US. K. Aggressive efforts to develop a 24-hour Border Station at Wildhorse, north of Havre. L. Enhance oil and gas industry. M. Develop an alternate trucking corridor to markets for commerce. N. Enhance efficiency for emergency services on the Hi-Line. O. Enhance movement of military personnel and equipment across the Hi-Line. P. Enhance tourism Q. Enhance the Dinosaur Trail	
				If you should have any questions please call John Healy, Transportation Specialist at 406-353-8469.	
12	Mayor of Chinook	7/14/2004	Comment Sheet	A 4-lane is needed. Chinook improvements need to be phased with the demand.	Comments noted. In the FEIS, the preferred alternative in Chinook is to accommodate an urban two-lane with a center two-way left-turn lane within the existing right-of-way. This alternative would meet the current and projected 2027 traffic demand.
13	Havre Area Chamber of Commerce	8/11/2004	Comment Sheet	The Havre Area Chamber of Commerce is committed to the support of 4 for 2. We continue to be an advocate for the project. "We the Board of Directors of the Havre Area Chamber of Commerce believe in the improvements to Highway 2, through northern Montana. The improvements to the highway system means economic development to our area and all of northern Montana."	Comments noted.
14	Havre Chamber of Commerce	8/11/2004	Comment Sheet	The Business Development Committee of the Havre Area Chamber of Commerce supports the improvements to Hwy 2, not only as a safety issue for the traveling public, but for the economic benefit of the Hi-line community.	Comments noted.

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No.	Affiliation	Date	Form	Comment	Response
15	Park County Environmental Council	7/16/2004	Email	The Park County Environmental Council, as a member organization of the Montana Smart Growth Coalition, endorses the comments presented below.	Please see response to Comment 18.
				The DEIS analysis clearly points to the Improved Two-Lane Alternative as the correct choice for the following reasons:	
				The cost-benefit analysis and the ICF economic study in the DEIS clearly state that none of the built alternatives will have a significant or lasting economic benefit to the region. Therefore, the least expensive option that addresses the other needs, identified on page ES-2, with the fewest impacts on communities, taxpayers, and the environment should be adopted as the preferred alternative. The alternative that fits that description according to the DEIS is the Improved Two-Lane Alternative.	
				The Improved Two-Lane Alternative, according to the DEIS, will address the major roadway deficiencies which are the cause of the greatest safety hazards and impediments to traffic operations.	
				The other alternatives are just too expensive and will take money away from other transportation projects in a time when the transportation needs of Montana are steadily growing. For example, in 2001, according to FHWA, 69% of Montana's urban and suburban roads were classified as not being in good condition. Montana needs to be spending more of its transportation dollars dealing with not only the deficiencies on Highway 2, but on urban roads and other deficiencies across Montana where the greatest number of daily trips take place.	
				Both four-lane alternatives should be rejected because they would have a significant negative impact on taxpayers, communities, and the environmental as well taking money away from other Montana projects. The DEIS shows that the Improved Two-Lane will have the least negative impacts on the communities and the environment.	
				We appreciate that MDT, in the DEIS, has committed to using context sensitive designs and to providing improved pedestrian and bicycle movement within communities, but we would suggest that MDT consider adding the following provisions to the EIS and including them in project costs for the preferred alternative in order to help improve the possibility that communities in northeastern Montana will grow economically in the future. Specifically, the DEIS and project costs should include funding for:	
				Attractive streetscapes and landscaping at transition zones where highways come into towns;	
				Attractive streetscapes and landscaping for downtown areas and traffic calming devices where Highway 2 passes through towns that encourage people to slow and stop in the communities;	
				Building wildlife crossings as well as purchasing easements and building	

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				fencing near those crossings to minimize collisions with wildlife and to protect the wildlife in the region;	
				New non-motorized facilities along the entire project area; and	

Bicycle-friendly rumble strips, turn lanes, and shoulders as well as signs urging motorists to be aware of cyclists throughout the project area - this could result in a new form of tourism for the region.

				DEIS Comments							
No.	Affiliation	Date	Form	Comment	Response						
16	16 Cooper/ Highway 2 Association	way 2	hway 2	y 2	Report	Comments from Abstract section of "A Critical Review of the U.S. 2, Havre to Fort Belknap, Montana EIS Existing Economic Conditions Report Final Document, June 2003" written by Cooper Consulting Company, April 25, 2004 and submitted by the Highway 2 Association, which is incorporated by reference.	[1] In response to Point 1, the Benefit-Cost Analysis for the US 2 Havre to Fort Belknap EIS used MDT's traffic volume forecasts of 1.0% annual growth west of Chinook and 2.0% annual growth east of Chinook, resulting in a 1.5% average annual traffic growth rate for the corridor through 2027. This average annual growth rate results in a 46% increase in traffic volume over 25 years. The numbers used for				
						A critical review has been conducted of the economic baseline report and benefit cost analysis prepared by ICF Consulting for the Montana Department of Transportation of the proposed capacity expansion of the U.S. 2 highway corridor through Blaine and Hill Counties of the 45-mile route segment between Fort Belknap and Havre. This critical review has	the east end of the corridor account for the projected population growth on the Fort Belknap Indian Reservation through 2027. The Benefit-Cost Analysis memo is available for review on MDT's website at: http://www.mdt.state.mt.us/us2info/.				
				been conducted for the purpose of evaluating the economic baseline report and the associated benefit-cost analysis of the project to convert the above 45-mile route segment from two to four lanes. The conclusions of this analysis are that the ICF Consulting report presents an adequate description of the existing economic baseline and a definition of	Given historic traffic growth trends, which show traffic volume growth to be relatively stagnant, and population trends, which show the overall corridor population to be declining (even with increasing population at Fort Belknap taken into account), this 1.5% average annual traffic growth rate is considered aggressive.						
				alternatives for capacity expansion, but fails to properly define a suitable economic future alternative and therefore has a fatally flawed benefit-cost analysis.	[2] In response to Point 2, the StratBENCOST model used in the Benefit-Cost Analysis employs several different modules to calculate the various expenses related to truck travel. The Benefit-Cost						
				prepared by the U.S. 2 in David Evan Transportar [1] 1. The tr zero econo [2] 2. The p in the actua	As a result, there are six difficulties with the benefit-cost analysis prepared by ICF Consulting for the Environmental Impact Statement of the U.S. 2 highway corridor between Fort Belknap and Havre through David Evans and Associates for the Montana Department of Transportation as follows:	Analysis assumes truck travel time (which does not include operating costs) is \$32 per hour. This travel time cost includes the value of driver wages, inventory time value, and some other expenses. The analysis uses a different module to calculate vehicle operating costs (fuel consumption, oil, tire wear, maintenance, and depreciation). Each of these items has 14 different dollar values for different					
										[1] 1. The traffic growth rate assumed is too low as it assumes a basically zero economic growth condition.	speeds, and therefore the dollar value of truck operating costs varies with speed. The Critical Review does not provide the methodology used to derive the \$80 per hour truck operating cost quoted in the
					[2] 2. The potential vehicle operating cost savings do not properly factor in the actual truck operating costs of \$80.00 per hour instead of \$32.00 per hour, and do not properly allocate future truck operating cost savings.	review, and therefore it is not possible in this response to evaluate the \$80 per hour figure against the costs used in the StratBENCOST model. The StratBENCOST model was developed in 1996 for the Transportation Research Board by the National Cooperative Highway					
				[3] 3. There is no specific annual data tabulation in the documents reviewed of any future population demographics, economic conditions, employment and payroll projections, future traffic levels, and any determination of future trends.	Research Program (NCHRP) and is widely used by state departments of transportation and metropolitan planning organizations to assist in transportation planning and project decision-making efforts.						
				[4] 4. There is no presentation of any economic development scenario(s) or any description of any of these scenario(s) or any prediction of how such scenarios would impact any future demographic, economic or traffic trends.	[3] In response to Point 3, information on demographics, population trends, income and employment, industry earnings, industry growth, and economic initiatives is discussed in Chapters 3 and 4 of the EIS in sections covering social and economic conditions. The Benefit-Cost uses traffic data to determine benefits and costs to users of the						
				[5] 5. There is no determination of the selectively severe and potentially discriminatory impacts upon the Native American people on the Fort Belknap Indian Reservation or the other Indian Reservations along the U.S. 2 highway corridor across northern Montana of a lack of suitable transport infrastructure.	highway. The future population demographics and employment projections discussed in the social and economic conditions sections of the EIS were used as the basis for developing the projections for traffic growth in the Benefit-Cost Analysis.						
				•	[4] In response to Doint 4, research conducted for the US 2 Hours to						

[6] 6. The ICF Consulting analysis has a serious and fatal and

[4] In response to Point 4, research conducted for the US 2 Havre to Fort Belknap EIS included a review of current economic initiatives,

Response

uncorrectable flaw in that its entire scope is limited only to the 45-mile route segment between Fort Belknap and Havre instead of the entire 666-mile U.S. 2 highway corridor across Montana between Idaho and North Dakota because of the incremental increase in vehicle traffic which would result.

[7] The proposed capacity expansion from two to four lanes of the U.S. 2 highway corridor over its entire distance makes it economically attractive for trucks going between eastern Canada and the Pacific Northwest with a total trip basis resultant operating cost savings of 6 to 8 percent. This increase in the expected operating cost savings differential cannot be identified when only the 45-mile route segment is being considered instead of the entire 666-mile long route. The ICF Consulting report makes no differentiation in terms of cost differentials for truck operations based on terrain in their report because it does not have a sufficient geographical scope. It is estimated that once the entire U.S. 2 highway corridor across northern Montana is completed that it will be able to serve as a major through route to serve both long haul and local needs for both cars and trucks over the entire distance.

[8] The benefit-cost ratio calculations for the proposed U.S. 2 highway corridor expansion are very much influenced by the traffic base rates and by the traffic growth rates. The traffic baseline levels are substantially greater for the case where the US 2 highway capacity expansion is completed across the entire 666-mile distance across Montana as compared to the 45-mile segment alone. The benefit-cost ratios also increase significantly as the annual average traffic growth rate increases along the U.S. 2 highway corridor across northern Montana over the 25 years period from 2005 to 2030.

[9] The calculated benefit-cost ratios were higher for the four-lane undivided highway case where the entire route was being expanded from two to four lanes than for the two county route. For the case of only the U.S. 2 highway in the two county areas being expanded from two to four lanes, the benefit-cost ratio increased from 0.35 to 0.81 as the traffic growth increased from 1.5 to 6.0 percent per year with a breakeven traffic growth rate of 7.2 percent per year. For the case of the entire U.S. 2 highway capacity across Montana was expanded from two to four lanes, the benefit-cost ratio increased from 0.59 to 1.20 as the traffic growth rate increased from 1.5 to 6.0 percent per year.

[10] The proposed capacity expansion of the U.S. 2 highway corridor will not in and of itself result in the creation of large numbers of new jobs.

[11] However, its expansion from two to four lanes will make it possible to eliminate a major bottleneck to the future economic development of the northern Montana area so that it can become a major energy and industrial corridor which will be able to meet clean air standards. The proposed capacity expansion through improved two-lane capacity improvements along the US 2 corridor would probably make it possible to

past initiatives, and factors that might influence diversion of traffic to the study corridor. This research included interviews with local economic development officials and others involved in the various industry sectors in the area. The study documented a number of economic initiatives in the corridor, and they are presented in the Economic Conditions section of Chapter 3 in the EIS. The researchers examined the reliance of the initiatives on the highway system, through research and interviews with those involved in the various initiatives and sectors in the corridor. Many economic initiatives were found to have a high reliance on the highway system, and many were found to have a need for safety and operational improvements on US 2. There are very few initiatives, however. whose implementation and/or business expansion would benefit from major capacity improvements, such as additional travel lanes, to US 2. The study, US 2 Havre to Fort Belknap EIS: Existing Economic Conditions Report, Final Document, June 2003, is available on MDT's website at: http://www.mdt.state.mt.us/us2info/. A subsequent analysis of the traffic growth projections was conducted and found that the corridor traffic growth rate provided by MDT is high enough to account for any potential new traffic resulting from possible development initiatives and other factors such as population variance, regional traffic diversion, and latent travel demand.

The economic development scenario presented in the Critical Review proposes a strategy focused on energy production and associated value-added agriculture and manufacturing. The strategy proposes building a series of coal power plants, petroleum refineries, and associated manufacturing plants in western Canada and the northern United States, including the US 2 corridor in Montana. These energyproduction facilities would rely on coal, oil, and gas in the area as well as oil and gas imported from northern Canada, Alaska, and Russia via pipelines that would be constructed or via railroad. Coalfired power plants and wind farms would be built on each of the Native American Reservations in Montana. Major electrical transmission lines would be built to transport energy from the power plants in Canada and the northern United States to the Pacific Northwest. Manufacturing facilities would be built to process chemical and fertilizer byproducts from the power plants, thereby enhancing the creation of value-added agricultural manufacturing to produce products such as ethanol and bio-diesel fuel.

State and local officials involved in economic development planning have not identified in their plans or proposals the "Northern Tier Strategy" promoted in the Critical Review, and therefore it was not identified in the EIS as a scenario that would occur with any certainty within the next 20 years.

[5] In response to Point 5, impacts to low-income and minority populations, including the minority population of Fort Belknap, are discussed in the Environmental Justice section of Chapter 4 of the

create only 3,000 to 5,000 new jobs along the US 2 corridor as compared to the ability to create between 10,000 and 30,000 jobs or more with a capacity increase to four lanes.

[12] The Native Americans living on the four Indian Reservations along the US 2 highway route across northern Montana would especially benefit if this capacity expansion were to occur, and would especially and selectively suffer if it were not expanded. Energy development and value added agricultural manufacturing are the two major areas for future expansion of the U.S. 2 highway corridor across Montana.

[13] In summary, the ICF Consulting reports suffers serious deficiencies in not having or proposing an economic development plan, in not considering the impacts of capacity expansion for the entire U.S. 2 highway corridor, in using inadequate traffic growth rates, and in not considering the Native American demographic trends or employment needs.

[14] A new study needs to be done which is free of predirection as well as being focused on the parallel needs for energy and economic development along the U.S. 2 highway corridor across northern Montana.

EIS. The higher growth rate on the Fort Belknap Reservation is documented in the Social Conditions section of Chapter 3 of the EIS. The Blaine County portion of the reservation experienced 20.6% growth over the ten years between 1990 and 2000. This higher growth rate was accounted for in traffic growth forecasts provided by MDT (see response to Point 1, above). As documented in the Environmental Justice section, no disproportionately high and adverse impacts to residents of the Fort Belknap Reservation were found as a result of any of the project alternatives. All of the alternatives proposed in the Draft EIS would provide a safe highway with a high level of service and traffic operations for the entire population residing in the study corridor.

[6] In response to Point 6, the focus of the Benefit-Cost Analysis for this EIS is appropriate given the scope of the project under study. Federal guidance for determining the study area is based on the concept of logical termini. As explained in more detail in the Project Background section of Chapter 1 of the EIS, the termini for this project were chosen after consultation with local officials and are based on logical transitions between the Havre urban section, which is being improved through another scheduled project, and the rural highway to the east; and between the rural highway and the recently completed improvements east of Fort Belknap. In addition, as stated in the Code of Federal Regulations (CFR) at 23 CFR 771.111(f), an action evaluated in an EIS must 1) connect logical termini and be of sufficient length to address environmental matters on a broad scope; 2) have independent utility ("be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made"); and 3) not restrict consideration of other reasonably foreseeable transportation improvements. Consideration of all of US 2 in this project would have also violated Congress' prohibition on the use of special earmarked funds on any analysis of US 2 in or near Glacier National Park. While consideration of economic impacts of constructing a four-lane highway on US 2 across the state is of interest, basing the selection of an alternative on the assumption that US 2 will become four lanes across the state premises this project decision on a future action that may or may not actually occur and whose environmental impacts have not been analyzed.

The Benefit-Cost Analysis section in Chapter 4 of the EIS discusses the findings of an economic analysis conducted for US 2 across Montana as part of the Montana Highway Reconfiguration Study. This border-to-border analysis used the Highway Economic Analysis Tool (HEAT), developed as part of the Reconfiguration Study, to examine the economic impacts of widening US 2 across the state. The study found that the benefit-cost ratio for improving the two-lane facility across the state would be 0.3 (costs would be more than three times greater than benefits), and the benefit-cost ratio for widening the facility to four lanes across the state would be 0.2 (costs would

be five times greater than benefits). This analysis does not conclude that a four-lane US 2 in Montana would provide the economic benefits suggested by the Critical Review.

[7] The truck traffic growth discussed in the Critical Review is contingent upon the conversion of all of US 2 in Montana to four lanes. There are no immediate plans to widen US 2 to four lanes across the state. Basing the decision for the Havre to Fort Belknap corridor on an action that may or may not actually occur premises the decision on a future action that does not have any committed funding (see response to Point 6).

[8,9] Additional traffic volumes cited in the Critical Review are dependent upon the construction of four lanes on US 2 across the state. Therefore, the cost of constructing four lanes along US 2 throughout Montana would need to be factored into any evaluation of additional traffic volumes on US 2. The cost of widening US 2 to four lanes throughout Montana would be \$1.3 billion in present value, as found by the HEAT analysis (see response to Point 6 above). This additional cost would greatly offset any benefits resulting from the traffic growth cited in the Critical Review, and would not result in the high benefit cost ratios suggested in the Critical Review. In response to the first sentence of paragraph [9], this statement is inaccurate unless the Critical Review is citing a different benefit-cost analysis than the analyses conducted for this EIS and for the Montana Highway Reconfiguration Study. Additionally, in response to the last sentence of paragraph [9], the benefit-cost ratios listed in this sentence for the entire US 2 corridor throughout Montana are not data from the US 2 Havre to Fort Belknap EIS Benefit-Cost Analysis. The Benefits chapter of the Critical Review discusses these numbers, but does not provide supporting data to determine the method by which these numbers were derived. Therefore this information couldn't be analyzed.

[10] The findings in the EIS are consistent with this statement.

[11] In response to the second sentence of this paragraph, please refer to the response to Point 4 above. In response to the last sentence of this paragraph, job creation numbers are overstated by a factor of almost three in the Critical Review. As specified in Tables 45 (p. 129) and 47 (p. 132) of the report, a multiplier of 2.2 was used to estimate indirect jobs and a multiplier of 2.4 was used to derive induced jobs. Multipliers for Hill and Blaine counties are available from the Montana Department of Labor and Industry. These are the figures that are recommended for use by state government. Almost all multipliers (there are different values for each industry) for Blaine and Hill counties are between 1.0 and 2.0, and they include both the indirect and the induced effects. These 1.0 to 2.0 multiplier values are much lower than the combined multiplier of 5.6 reported in Tables 45 and 47. If one used a high value of 2.0 for the multiplier,

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the estimated new jobs reported in Table 45 and 47 are reduced by about two-thirds: in 2030, new non-construction related jobs in the two-county region would be 3,680 instead of 10,280 as reported in the Critical Review; and new non-construction related jobs in the eight county region across northern Montana would be 11,750 rather than 33,000 as reported in the Critical Review. Therefore, the 10,000 to 30,000 additional jobs cited by the Critical Review would be 3,500 to 12,000 additional jobs using government recommended multipliers. Additionally, the Critical Review does not demonstrate why or how a two-lane US 2 would fail to meet the transportation requirements of the economic development scenario presented in the report, and therefore does not provide a plausible link between US 2 capacity expansion and increased job creation.

[12] The Critical Review does not provide adequate information on the relationship between expanded highway capacity and resulting job creation for the Native American population, nor does it establish why job creation for Native Americans is dependent on expanded highway capacity. As noted in the response to Point 5, impacts to the Fort Belknap Reservation are discussed in the Environmental Justice section of Chapter 4 of the Draft EIS. No severe discriminatory or disproportionately high and adverse impacts to residents of the Fort Belknap Reservation were found as a result of any of the project alternatives.

[13] The purpose of the EIS is to analyze highway improvements on US 2 between Havre and Fort Belknap that would fulfill the purpose and need of the project. The purpose and need of the project is to implement highway improvements that would: provide an efficient highway to support economic vitality, reduce roadway deficiencies, improve safety, and improve traffic operations. The creation of an economic development plan for the corridor was not the purpose of this EIS. In regards to the geographic scope of the EIS, this EIS was based on the geographic scope of the logical termini for this project (see response to Point 6 above). The Montana Highway Reconfiguration Study is analyzing US 2 throughout the state of Montana. In response to the statements regarding traffic growth rates and Native American demographic trends, please see the responses above to Point 1 and Point 5 respectively.

[14] In response to the last sentence of this paragraph regarding the need for a study focused on the needs for energy and economic development along US 2 in Montana, such a study is outside of the scope of this project from Havre to Fort Belknap. However, this does not preclude another agency or organization from conducting a regional or statewide study on energy development or other economic development strategies.

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				DLIS Comments	
No.	Affiliation	Date	Form	Comment	Response
17	Highway 2 Association	8/13/2004	Letter	Following are the recommendations of the Citizen's Advocacy Committee from our meeting of August 12, 2004. A quorum was present in attendance of the following members: Bob Sivertsen Craig Erickson Ken Hansen Jason Gibson Bill Oehmcke C. John Healy, Sr. Bob Sharples Don Swenson, Represented by Art Kleinjan Dolores Plumage [1] 1. John Healy made a motion that the CAC recommends that the corridor be analyzed between Seattle and Minneapolis to give a clearer picture of economic potential in the impacted area. All members were in favor. [2] 2. Jason Gibson made a motion that the CAC supports 4 lanes on US 2 across the State of Montana. Craig Erickson seconded the motion. All members were in favor. [3] 3. Art Kleinjan made a motion that the CAC supports the 4-lane on US 2 from Havre to Fort Belknap as per Montana Department of Transportation's recommendation as well as the MT/WY [Montana/Wyoming] Tribal Leader's Council's recommendation. Motion	To clarify for readers unfamiliar with the Citizens Advisory Committee (CAC), the CAC for US 2, Havre to Fort Belknap EIS was formed by MDT and FHWA to provide input on the project. It is a 15-member committee consisting of representatives of various interests in the corridor, including elected officials and members representing the Fort Belknap Indian Reservation, business and industry, trucking, BNSF Railroad, the Highway 2 Association, and other corridor interests. This committee was selected to provide advice and input on the project purpose and need, goals, and alternatives. Committee members were not selected based on their individual preferences for highway improvements but rather for their ability to represent the various interests in the corridor and to provide advice and input on the project. The 15-member advisory group as established by MDT and FHWA is called the Citizens Advisory Committee. Please note that this submitted letter was from the US Highway 2 Association, and these individuals represent 9 of the 15-member CAC for the US 2, Havre to Fort Belknap EIS. [1] Comment noted, although that is not the purpose of the EIS. [2-4] Comments noted. [5] Construction of a four-lane highway is not proposed. The preferred alternative is an Improved Two-Lane with Passing Lanes.
				was seconded by Bill Oehmcke. All members were in favor. [4] 4. Jason Gibson made a motion that the CAC requests that this documentation be included in the EIS as stated by Karl Helvik in correspondence of July 21, 2004. John Healy seconded the motion. All members were in favor. [5] 5. Bob Sivertsen made a motion that consideration be given to temporarily postpone 4-lane construction through each incorporated community/tribal government until special needs and problems are addressed and resolved within the construction time frame. Bill Oehmcke seconded the motion. All members were in favor. [6] 6. Bill Oehmcke made a motion that consideration be given to temporarily postpone 4-lane construction through the City of Chinook included in the study area until special needs and problems are addressed and resolved by the citizens of the City of Chinook within the construction period. Art Kleinjan seconded the motion. All members were in favor. [7] 7. Bill Oehmcke made a blanket motion that the following comments	Chinook would include two travel lanes with a center-turn lane. [7] Comments noted. [8] A Historic Regional Traffic Analysis comparing traffic volumes on I-94, US 2, and MT 200 was provided to the CAC at the May 5, 2003 CAC meeting. This information shows that traffic volumes on US 2 and I-94 were similar in magnitude and growth rates from 1976 (the earliest year for which consecutive yearly data is available) through the 1980s. Traffic volume data are only available for both highways for two years prior to 1976: 1971 and 1961. These numbers show similar traffic volumes on the two highways in 1971 and approximately 30% higher volumes on US 2 than I-94 in 1961. No discernable decrease in US 2 or MT 200 traffic volumes resulted from completion of the east-west Interstate system through Montana in 1986. In 1990, the interstate traffic volume surpassed the volumes found on US 2 and continued to grow at an average annual growth rate of approximately 2.3% to 2001. The traffic volumes on the US 2 corridor continued to grow at a slower rate after the completion of the interstate in 1986 with an average annual growth rate of 0.5% to 2001. The average annual growth rate for MT 200 for this same time

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period was 1.5%, which is also slightly higher than for US 2. All of these growth rates are small compared to the national average

are supported by CAC:

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- a. Montana State University Northern financial impacts to the communities.
- b. Border Station financial impacts to the communities.
- c. Homeland Security.
- d. Farm, Ranch and Community Safety.
- e. Commerce between Canada and US.
- f. Aggressive efforts to develop a 24-hour Border Station at Wildhorse, north of Havre.
- g. Provide an efficient highway to support economic vitality.
- h. Reduce roadway deficiencies.
- i. Improve safety.
- i. Improve traffic operations.
- k. Infrastructure development.
- I. Enhances oil and gas industry.
- m. Develops an alternate trucking corridor to markets for commerce.
- n. Enhance efficiency for emergency services on the Hi-Line.
- e. Enhance movement of military personnel and equipment across the Hi-Line.
- p. Enhance tourism.
- g. Enhance the Dinosaur Trail.

Jason Gibson seconded the motion. All members were in favor.

- [8] 8. Bill Oehmcke made the motion requesting that MDT [Montana Department of Transportation] and DE&A (David Evans and Associates] include in the EIS traffic counts before the Eisenhower interstate construction to verify changes in traffic patterns on US 2 and I-94. Jason Gibson seconded the motion. All members were in favor.
- [9] 9. Jason Gibson made motion that the CAC recommends the funding issue be stricken from the EIS because it is the second step and does not belong in the EIS. John Healy seconded the motion. All members were in favor.
- [10] 10. Jason Gibson made a motion that the Cooper Report ["Critical Review," abstract of which is provided in Comment 21], as revised on 6/6/2004, be incorporated into the EIS. John Healy seconded the motion. All members were in favor.
- [11] 11. Art Kleinjan made motion to amend the above-mentioned motion to indicate the exception of where the Cooper Report makes reference to the Indian communities in the study area should be inclusive of everyone in the study area. John Healy seconded the motion. All members were in favor.
- [12] 12. John Healy made a motion to include the Bainville to Troy Poll from the Highway 2 Association [attached] be included in the EIS. Motion was seconded by Bill Oehmcke. All members were in favor.

Thank you for your consideration of these issues.

annual growth rate of the rural interstate system, which is approximately 10% over the last 30 years. The magnitude of the changes in volume over the same time periods have remained small for all three corridors. Although the traffic volumes may be increasing slightly faster for I-94 at this location, this increase is very small. It is unknown what factors contributed to this slightly higher growth for I-94. Therefore, no conclusions about the potential for diverting traffic onto an improved US 2 can be drawn from this data.

- [9] Please see response to Point 5 in Comment 46.
- [10] The Critical Review has been entered as a public comment submitted by the Highway 2 Association. Please see Comment 16 for the report abstract and response.
- [11] Comment noted.
- [12] The poll has been included here for the FEIS.

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Respectfully submitted,

The Citizen's Advocacy Committee of 4-Lanes for US 2

[The following poll was sent as an attachment to these comments]

The [Bainville to Troy] poll consisted of four questions.

[1] Do you feel good highways are important for economic growth?

Agreeing or strongly agreeing 98% No opinion, disagree or strongly disagree 2%

[2] Do you feel there is more opportunity for economic growth with fourlane highways than with two-lane highways?

Agreeing or strongly agreeing
No opinion
5%
Disagree or strongly disagree
6%

[3] Do you feel construction of a four-lane highway across Montana would benefit your business?

Agreeing or strongly agreeing
No opinion
Disagree or strongly disagree
7%

[4] Do you feel the four laning of Highway #2 would help attract new industry in the corridor?

Agreeing or strongly agreeing 90% No opinion 5% Disagree or strongly disagree 5%

The results of the survey were consistent with the support that was evident at the hearings on SB3 [Senate Bill 3] that directed Montana DOT [Department of Transportation] to construct a four-lane highway on #2 (666 miles) and at the public meetings that followed.

Once again, the Highway #2 Association needs your help and support.

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18	Montana Smart Growth	7/9/2004	Letter	[1] The Montana Smart Growth Coalition represents over 40	[1-7] Comments noted.
	Coalition			[1] The Montana Smart Growth Coalition represents over 40 organizations and more than 20,000 Montanans - including Montana Farmers Union and Northern Plains Resource Council who have members that live in the northeastern region of Montana that will be affected by the Highway 2 improvements and its environmental, economic, and community impacts considered in the DEIS. [2] The analysis in the DEIS, including the cost-benefit analysis and the economic study by ICF, clearly supports only one of the alternatives if MDT is serious about fulfilling the four primary highway improvements needs identified on page ES-2 - namely: "Provide an efficient highway to support economic vitality; Reduce roadway deficiencies; Improve Safety; and Improve traffic operations." The DEIS analysis clearly points to the Improved Two-Lane Alternative as the correct choice. [3] The cost-benefit analysis and the ICF economic study in the DEIS clearly state that none of the build alternatives will have a significant or lasting economic benefit to the region. Therefore, the least expensive option that addresses the other needs, identified on page ES-2, with the fewest impacts on communities, taxpayers, and the environment should be adopted as the preferred alternative. The alternative that fits that description according to the DEIS is the Improved Two-Lane Alternative. [4] The Improved Two-Lane Alternative, according to the DEIS, will address the major roadway deficiencies which are the cause of the greatest safety hazards and impediments to traffic operations. The DEIS clearly states that the Improved Two-Lane Alternative will address most of Highway 2's major roadway deficiencies including the substandard shoulders, inadequate clear zones, steep side slopes, and most of the inadequate distances between the highway and railroad crossings. [5] The other alternatives are just too expensive and will take money away from other transportation projects in a time when the transportation needs of Montana are steadily growing. For example, in 200	[8a] In response to Point 8a relating to funding and project costs, the conceptual project costs in the DEIS include streetscape and landscaping costs.
				[2] The analysis in the DEIS, including the cost-benefit analysis and the economic study by ICF, clearly supports only one of the alternatives if MDT is serious about fulfilling the four primary highway improvements needs identified on page ES-2 - namely: "Provide an efficient highway to	[8b] In response to Point 8b relating to funding and project costs, traffic calming strategies proposed in this project for US 2 in Havre, Chinook, Harlem, and Fort Belknap include streetscaping, landscaping, and entry-way treatments as well as lower posted speeds to slow traffic in the communities.
				and Improve traffic operations." The DEIS analysis clearly points to the	[8c] In response to Point 8c relating to funding and project costs, wildlife crossings were considered, as discussed in the Safety section in Chapter 4 of the EIS. However, locations of accidents with
				clearly state that none of the build alternatives will have a significant or lasting economic benefit to the region. Therefore, the least expensive option that addresses the other needs, identified on page ES-2, with the fewest impacts on communities, taxpayers, and the environment should be adopted as the preferred alternative. The alternative that fits that	wildlife are dispersed throughout the corridor, and the relatively flat topography and open fields in the study area make it difficult to build infrastructure such as wildlife fencing with underpasses. Increased sight distance and recovery area provided with clear zone improvements under all alternatives would improve driver maneuverability to avoid wildlife and therefore may decrease animal-related accidents.
			description according to the DEIS is the Improved Two-Lane Alternative, according to the DEIS, address the major roadway deficiencies which are the cause of greatest safety hazards and impediments to traffic operations. clearly states that the Improved Two-Lane Alternative will addre of Highway 2's major roadway deficiencies including the substal shoulders, inadequate clear zones, steep side slopes, and most	address the major roadway deficiencies which are the cause of the greatest safety hazards and impediments to traffic operations. The DEIS clearly states that the Improved Two-Lane Alternative will address most of Highway 2's major roadway deficiencies including the substandard shoulders, inadequate clear zones, steep side slopes, and most of the inadequate distances between the highway and railroad crossings.	[8d] In response to Point 8d relating to funding and project costs, the conceptual project costs in the EIS include non-motorized facilities east of Havre, west of Chinook, and between Harlem and Fort Belknap. Funding for non-motorized facilities along the entire corridor has not been suggested because the limited use does not warrant the costs. Non-motorized facilities (sidewalks and bike paths) are included in specific locations identified by the local communities.
				[5] The other alternatives are just too expensive and will take money away from other transportation projects in a time when the transportation needs of Montana are steadily growing. For example, in 2001, according to FHWA, 69% of Montana's urban and suburban roads were classified as not being in good condition. Montana needs to be spending more of its transportation dollars dealing with not only the deficiencies on Highway 2, but on urban roads and other deficiencies across Montana where the greatest number of daily trips take place. [8e] In response to Point 8e relating to fundiscussed in the Safety section of Chapter alternatives would provide (2.4 m) 8 ft sho corridor. The proposed design includes st the shoulder with regular gaps for bicyclist would where the greatest number of daily trips take place.	[8e] In response to Point 8e relating to funding and project costs, as discussed in the Safety section of Chapter 4 of the EIS, the build alternatives would provide (2.4 m) 8 ft shoulders throughout the corridor. The proposed design includes standard rumble strips on the shoulder with regular gaps for bicyclists; the clear area outside the rumble strips usable for bicyclists would be 2 m (6.5 ft), which is more than the minimum 1.2 m (4 ft) area recommended by the American Association of State Highway and Transportation Officials
				have a significant negative impact on taxpayers, communities, and the environment as well taking money away from other Montana projects.	(AASHTO) Guide for the Development of Bicycle Facilities (1999). Signage alerting drivers of bicyclist presence will be studied during final design to determine where and if such signs are warranted.
		Smart Growth Coalition organizations and more than 20,000 Montainans - including Montana Farmers Union and Northern Plains Resource Council who have members that live in the northeastern region of Montana that will be affected by the Highway 2 improvements and its environmental, economic, and community impacts considered in the DEIS. [2] The analysis in the DEIS, including the cost-benefit analysis and the economic study by ICF, clearly supports only one of the alternatives if MDT is serious about fulfilling the four primary highway improvements needs identified on page ES-2 - namely: "Proving en efficient highway to support economic vitality; Reduce roadway deficiencies; Improve Safety; and Improve traffic operations." The DEIS analysis clearly points to the Improved Two-Lane Alternative as the correct choice. [3] The cost-benefit analysis and the ICF economic study in the DEIS clearly state that none of the build alternatives will have a significant or lasting economic benefit to the region. Therefore, the least expensive option that addresses the other needs, identified on page ES-2, with the fewest impacts on communities, taxpayers, and the environment should be adopted as the preferred alternative. The alternative that fits that description according to the DEIS is the Improved Two-Lane Alternative. [4] The Improved Two-Lane Alternative, according to the DEIS, will address the major roadway deficiencies which are the cause of the greatest safety hazards and impediments to traffic operations. The DEIS clearly states that the Improved Two-Lane Alternative will address most of Highway 2's major roadway deficiencies including the substandard shoulders, inadequate clear zones, steep side slopes, and most of the inadequate distances between the highway and railroad crossings. [5] The other alternatives are just too expensive and will take money away from other transportation projects in a time when the transportation needs of Montana are steadily growing. For exapinding nore of its transportation dollars de	[9] In response to the last paragraph of the comment, please note that in the FEIS, MDT and FHWA's preferred alternative is the		

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Improved Two-Lane with Passing Lanes. Both agencies have agreed on the Improved Two-Lane with Passing Lanes Alternative as

the Preferred Alternative for the Final EIS.

desperately needed transportation projects in Montana. Congressional delegations from Donor States are already calling for Donee States, like

Montana, to receive less in federal transportation spending so it is likely that Congress would, in effect, subtract the \$25-\$37 million dollars

needed in special appropriations for a four-lane from other transportation earmarks that Montana might need. Based on the analysis of the DEIS, the Improved Two-Lane Alternative will use tax dollars most effectively to resolve the needs on the highway. For this and the other reasons stated above, the Improved Two-Lane Alternative is clearly the option that makes most sense for Montana.

[7] The DEIS shows that the Improved Two-Lane will have the least negative impacts on the communities and the environment. Specifically, the four-lane options, and to a lesser extent the Two-Lane Option with Passing Lanes, will have significantly greater impacts than the Improved Two-Lane Alternative will have including:

[7a] The possible loss of 45-97 jobs from displaced businesses.

[7b] The loss of visual identity and existing streetscape in Chinook and other towns - which are important economic assets that MDT should be improving not removing.

[7c] The displacement of four families because their homes would have to be relocated.

[7d] The removal of twice as many historic sites - 3 sites for the Improved Two-Lane versus 5-6 sites for the four lane options.

[7e] The four-lane options will adversely impact 25% more wetlands and floodplains than the two-lane options.

[8] Our economists and transportation experts suggest that if MDT is serious about helping improve the economic future of northeastern Montana, then they will help improve the quality of life and protect the character and the natural resources of the region. We appreciate that MDT, in the DEIS, has committed to using context sensitive designs and to providing improved pedestrian and bicycle movement within communities, but we would suggest that MDT consider adding the following provisions to the EIS and including them in project costs for the preferred alternative in order to help improve the possibility that communities in northeastern Montana will grow economically in the future. Specifically, the DEIS and project costs should include funding for:

[8a] Attractive streetscapes and landscaping at transition zones where highways come into towns.

[8b] Attractive streetscapes and landscaping for downtown areas and traffic calming devices where Highway 2 passes through towns that encourage people to slow and stop in the communities.

[8c] Building wildlife crossings as well as purchasing easements and building fence near those crossings to minimize collisions with wildlife and to protect the wildlife in the region.

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[8d] New non-motorized facilities along the entire project area.

[8e] Bicycle-friendly rumble strips, turn lanes, and shoulders as well as signs urging motorists to be aware of cyclists throughout the project area - this could result in a new form of tourism for the region.

[9] Thank you for the opportunity to comment on the draft EIS for Highway 2 improvements between Havre and Fort Belknap. We appreciate and, frankly, agree with most of the analysis in the DEIS, but disagree with the choice of a preferred alternative as one of the four-lane facilities - which we feel is not supported factually or legally by the DEIS. Therefore, would like to offer to help MDT work with the next legislature to amend 60-2-133 to free MDT to choose the Improved Two-Lane Alternative which is clearly supported by the CFI's economic study and the DEIS.

19 Citizens for a 8/12/2004 Letter Better Flathead On behalf of the board and members of Citizens for a Better Flathead (CBF), I am writing to express support for the "Improved Two-Lane Alternative" in the above referenced project. CBF is a Montana nonprofit organization with over 1,400 members. We have worked to inform and encourage broad-based public participation in transportation decisions since 1992.

Flathead County is the second fastest growing county in Montana. Despite the numerous recent projects to improve highways here, traffic congestion and road deterioration continues to increase every year with the addition of thousands of new residents and rapidly increasing tourism and commerce. The cost of expanding Highway 2 to four lanes, as described in this proposal, would make it more difficult to fund the improvements needed to keep heavily used roads and highways here in good condition.

As a community-based organization, we share the concerns of residents who want to see safety improvements on Highway 2. We believe that the Improved Two-Lane Alternative satisfactorily addresses most of these safety concerns without depriving residents in urban areas of funding for improvements on the most heavily used roads and highways. All Montana taxpayers would be better served by an allocation of transportation dollars that more strongly prioritizes work on urban roads and highways where the greatest number of daily trips takes place.

Comments noted. As identified in the FEIS, the FHWA and MDT preferred alternative is the Improved Two-Lane with Passing Lanes. (Refer to the Summary and Chapter 2 of the FEIS for a discussion of the preferred alternative.)

No.	Affiliation	Date	Form	Comment	Response
20	Job Service, Havre - State of Montana Dept. of Labor & Industry Workforce Services Division	8/13/2004		As Manager of the Job Service in Havre since 1984 and an employee since 1977, I have been involved in economic development and employment issues. I have been a past Chair of the Chamber's Business Development Committee and a member for close to 20 years. I can attest that in competition for business relocation, I had to respond to how close Havre was to a four-lane highway. Another one of the questions I have been asked by companies considering our area is the size of our labor pool. In order to reach the labor pool demands of several of those employers, we have tried to include our whole area's labor pool-including Hill County, Blaine County and the Fort Belknap Reservation. That would obviously have more credibility and reality if Highway 2 becomes four lanes. In a presentation a few years ago to Job Service Managers, the former head of the Fargo (ND) economic development group noted the advantages of the four-lane highway to their labor pool stating people would travel 100 miles on the Interstate for work. North Dakota has stated in their EIS that a four-lane (safer and quicker commute) to employment in a larger regional center helps smaller communities to stay alive. Through our experience we also know that a safe and shorter commute from Havre would help to recruit for the difficult to fill but needed professional and skilled crafts positions in the surrounding communities. These professional and skilled people are often needed to keep existing businesses alive and to attract other businesses. New developments will lead to increased traffic on Highway 2 and, in turn, would be more successful with four lanes. These include the multipurpose facility being planned for Havre, the Interpretative Center which is being established at the Bear Paw Battlefield, the new museum at Fort Peck with dinosaur exhibits, and the proposed extension of hours at the Canadian border crossing north of Havre which would increase tourist and truck traffic. The above and other economic benefits to this area of four lanes on Hig	A discussion of the economic imapcts of each alternative can be found in the Economic Conditions section of Chapter 4 of the FEIS. A more detailed discussion of labor pool in relation to business and industry development in the study area can be found in the US 2, Havre to Fort Belknap Existing Economic Conditions Report (ICF Consulting, 2003b), available for review at www.mdt.state.mt.us/us2info/. One of the conclusions reached in this report is that the availability of skilled labor is both of high importance in business location decisions and is a strong asset of the study area (p. 52). The level of service (LOS) analysis (discussed in the Traffic Operations section of Chapter 4 of the FEIS) indicate that commuting conditions in the corridor are currently desirable (LOS A and B) and would remain so under all proposed alternatives. The proposed new developments mentioned (multipurpose facility, Interpretative Center, etc.) were considered in the traffic projections and are discussed in Section 3.2.6 of the FEIS.
21	Debbie Vandeberg	8/11/2004	Comment Sheet	As a member of the CAC I would like to make my comments regarding the 4 for 2 project. I am in favor of 4 for 2. I feel that 4 for 2 is needed to first make Highway 2 safer road to travel. Secondly, improvements to Highway will help in the economic development for all of northern Montana.	Comments noted.

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No.	Affiliation	Date	Form	Comment	Response
No. 22	Affiliation Hal B.H. Cooper, Jr.	<i>Date</i> 8/4/2004		Reference is made to the recent series of public hearings on the Environmental Impact Statement process for the proposed expansion of the US 2 Highway Corridor across northern Montana. Enclosed is a copy of my revised report as presented to the public hearings on behalf of the Highway 2 Association with the changes as noted in the report, which is incorporated by reference. There is one additional area of discussion which I would like to add into the record as part of the proceedings involving the Environmental Impact Statement reviewing process for the proposed US 2 Highway Corridor expansion which has not been as yet discussed with relation to employment creation mechanisms. The Alameda Corridor project in Southern California is a 22-mile long trench in which railroad tracks are located between the San Pedro Bay Ports of Los Angeles and Long Beach in order to improve freight traffic flows while reducing traffic congestion, grade crossing accidents, and air pollution emissions along the route which was built over a 5-year period at a cost of \$2.5 billion. One of the features of this project to build the Alameda Corridor was that a new innovative system was implemented to stimulate minority hiring of construction workers and minority-owned business participation which could be readily applied to the building of the US 2 Highway Corridor and associated infrastructure projects across northern Montana. The Alameda Corridor Transportation Authority located in Carson, California implemented a program to train minority people living in the nine cities along the route for doing construction work on the Alameda Corridor which are largely low-income Hispanic and Black [people] through the junior colleges in the local area. This minority hiring program called on the prime contractor for the Alameda Corridor project to hire 30 percent of the total construction work force of up to 8500 people from the local area in the nine cities who had been trained by junior colleges. This hiring program was administered and imple	MDT's Civil Rights Bureau oversees Equal Employment Opportunity contract compliance and labor compliance on construction projects, as well as the Disadvantaged Business Enterprise (DBE) program. The DBE program at MDT has been very successful and has met or exceeded its DBE goal for the past two years. One of the reasons for that success is because of an extremely active DBE Supportive Services program. The program provides regularly scheduled classes to help DBE contractors and companies in the areas of marketing, bidding/estimating, payroll completion, negotiation, documenting daily activities, financial issues, and technical areas such as erosion control. The DBE Supportive Services Program has also been instrumental in helping the Tribal Business Information Centers at the Blackfeet, Rocky Boy, Fort Belknap and Fort Peck Reservations set up viable programs to help reservation businesses break into the transportation field. At the present time, nearly all of the Native American DBE certified firms are from these four reservations and all of them actively participate in available training as well as actually performing work on construction projects. MDT has made an intensive effort to work with all of Montana's reservations. All MDT vacancies are advertised with Tribal Employment Rights Offices (TERO) around the state, and MDT visits the reservations to test for specific positions and to provide a variety of training opportunities. The Alameda Project was a creative new approach in 1995 and was an effective way to handle training and economic development issues in a large primarily metropolitan area. In many respects, the project was influential on programs in large rural states like Montana, with similar issues but considerably less population and greater distances between communities. The programs and services MDT has in place have been specifically designed for the minority, in this case Native American, community and take into consideration the cultural issues within those communities. As this project
				There was a separate program which mandated that 15 percent of the total construction subcontracts be issued to local minority-owned construction firms located in the same area where the Alameda Corridor is located to increase business revenues as well as associated local employment.	
				The concept of the Alameda Corridor hiring and contracting programs with training by the local junior colleges in Southern California for Blacks and Hispanics could be applied to the future construction of the US 2 Highway Corridor expansion for the Native Americans in terms of	

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increased employment and business opportunities.

I previously did a study [Technical and Economic Description of the Alameda Corridor Project] on the Alameda Corridor project, a copy of which is enclosed for your information and reference. While this report focused on international trade and finance, I became familiar with the minority hiring and contracting programs as I was doing the study, and while the construction was ongoing.

My observation of the South Central Los Angeles area was that this minority hiring and contracting program visibly improved the condition of the communities along the Alameda Corridor, following completion of construction as compared to before it began, in a very noticeable way.

In addition, many of the workers trained for construction of the Alameda Corridor were then hired for the Gold Line light rail project construction, which began as the earlier project was ending. The same concept could be applied in Montana for improving the economic conditions of the Native Americans as was done for the Blacks and Hispanics in Southern California by promoting self-sufficiency.

Please enter this revised report into the proceedings of the hearing.

23 Scott Marshall 6/24/2004 Email

I live in Havre and work in Ft Belknap. I drive highway 2 from Havre to Ft. Belknap every weekday (90+ miles round trip). The economic impact studies seem to show a clear 2 to 1 (at least) disadvantage to expanding the highway. There are days that the only time I have to take my car (I carpool with 4-5 other Ft Belknap employees) off of cruise control is when I go through Chinook. The traffic on this road is NEVER something I would consider a problem (at least during the hours I drive on it: (7-8 AM and 5-6 PM)). Passing is very simple with a few exceptions. Sure, 4 lanes would make it a little safer and a little more convenient (as would 6 lanes or 10..), but given the economic impact statements and the fact that this is not that busy of a road lead me to believe that to expand this road to a 4-lane road would be a monumental waste of funds. Passing lanes and a more gradual shoulder would be more appropriate, but still not something I would consider a necessity.

Comments noted

No.	Affiliation	Date	Form	Comment	Response
24	Curtis L Kostelecky	7/7/2004	Website	[1] For many decades the Hi-Line has provided large tax revenues for the state of Montana with our large agricultural base. These monies have been used for many reasons in many areas throughout the state. For the most part the infrastructure of northern Montana has been ignored for political pet projects which back the "population centers". It has always been this way and we have done with what we have. We watch our children leave communities they don't want to leave. We watch the government cut our livelihoods with free trade agreements that may help sea port states but hamstring rural communities. We watch our neighborhoods diminish because the government decides that they will pay you more to let fields sit fallow than they will to help them be productive. Pretty much the only thing that keeps us viableagriculture. Has been put on the ropes by the weather and regulation. How are we to participate with the rest of the world if it cost another \$100 for every semi to come in and out of here? There are no bus lines, and train lines are being shut down or in jeopardy. And our existing road way is a death threat to all of us. We have been said to be the state that more families who have to work two jobs to make ends meet than anywhere else If you stretched that study further I'm sure the lions share of those families exist on the hi-line. We have many Indian reservations and limited opportunities, our own governor once made the comment that this part of the country had turned into a welfare haven we are a mono culture with no chance to diversify if we can't even share an equal distribution footing. I'm sure that people from Butte, and Bozeman, don't see the point. But then again they have an interstate don't they? Alot of tax money went to make sure their communities have the best opportunity, and we didn't complain. Now that we see one thing that may give us an equal footing. "Geee that might cost some money"	[1] Comments noted. [2] The border-to-border analysis of a four-lane expansion on US 2 was completed as part of the Montana Highway Reconfiguration Study and did not show a four-lane highway to be as cost beneficial as a two-lane highway. [3] North Dakota has constructed or plans to construct four lanes on US 2 through the majority of the state. Washington, Idaho, and Minnesota have indicated that they do not have plans to construct four-lane improvements on all of US 2 in their state. Please see the figure, US Highway 2 Built and Committed Four-Lane Standard, at the end of this DEIS Comments section for a map of the current and committed lane configurations on US 2 from Washington to Minnesota.

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[3] Other states have done their part to make the dream a reality. Give our children a chance to come home. For once do the right thing.

No.	Affiliation	Date	Form	Comment	Response
25	Joni Arneson	7/7/2004	Website	I think that there should be four lanes on Hwy 2 throughout the state of Montana. I grew up on the hi-line and I have seen very dangerous drivers/wrecks on this road. I feel that with four lanes, it is better for passing and not having to worry about not seeing in front of you for oncoming traffic. Also I think more people would want to drive to the east side from the west side of Montana or vice versa because of the roads. Right now there are some roads that are very narrow and need lots of work to them. It is not fun to do any travelling when the roads are so narrow. They are doing all this road construction on the highway to widen the roadwhy not just put that money into four lanes. I believe the driving would result to less accidents if there were four lanes as well. The road from Havre to Chinook is horrible!! We need more people to want to travel to our side of the state. Truckers, vacationers, and everything!! Not passing lanes, four lanes for Hwy 2. If we are going to spend money on our roads why not spend it well and fix this highway up and not have to keep doing road work on it every year!!!!	Comments noted. All of the build alternatives would improve safety and would construct a wider roadway with 8' shoulders, improved clear zone, and flatter side slopes.
26	Carol Haskins	7/8/2004	Website	[1] I am a strong supporter of the proposed project to make highway 2 into a 4-lane. From Harlem to Havre is an extremely busy section of road in which 4 lanes would greatly benefit local traffic. It never fails that when I make that journey there is a farm tractor, or a big truck going way below the speed limit, yet I cannot pass because of constant oncoming traffic. It would benefit the entire hi-line area to have highway 2 become 4-lane from border to border, so as to further promote economic development in the suffering northern region of Montana. More beneficial would be to make Highway 2 a 4-lane all the way from Minot, ND to Libby, MT, through Sandpoint, ID and making connection with US 90 in Spokane, WA. Montana, being extremely economically deprived would see a great increase in commercial traffic, as well as tourist traffic, by having a northern route of 4 lanes.	[1] Comments noted. [2] Interviews with manufacturers and retailers in the study area suggest that the current condition of US 2 does not contribute greatly to the relatively high truck shipping rates in the region. High shipping costs are due primarily to the imbalance in trade flows, which prevents trucking companies from securing backhaul loads, and the distance between the study area and major urban markets. Improvements to US 2 would not address these factors and, therefore, would not substantially affect shipping costs.
				[2] A 4-lane would help reduce shipping costs to many Montana communities, thereby helping to keep or reduce costs for food supplies and other consumer goods. It would also help promote industry in those deprived areas and thus generate more income for Montana residents and promote population growth, which would in turn generate more tax revenue for the State. Developing the four lane in stages starting with the route between Harlem and Havre would be the first great turn in economic progress for our great state.	
27	Ellis Campbell	7/14/2004	Website	This project on Hwy 2 is a pure pork project to buy votes and should not be done at all. There is not enough traffic on Hwy 2 to justify the money spent. Use it on Hwy 93.	Comments noted. Specific needs for highway improvements on US 2 have been identified, as detailed in Chapter 1 of the EIS. Please see response to Point 5 of Comment 41 for a list of specific issues relating to roadway deficiencies, safety, and traffic operations that have been identified.

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No.	Affiliation	Date	Form	Comment	Response
28	Pete Hansen	7/14/2004	Email	Good Morning: It is my understanding that hearings are being held regarding proposals for widening US Highway 2 among which are demands for a 4-lane highway to "Improve the economy of the Hi-Line region." I would submit that this is but yet another suggested or proposed "Pork Barrel" project proposed by legislative candidates to get themselves elected at the expense of both the taxpayers of Montana and with enormous contributions of taxes from the Federal Government which are also paid by Montana citizens. Having driven the route in question on numerous occasions, I would state first, that with the exceptions of some passing lanes and perhaps some widening of the current roadway, that US 2 is one of the best highways in the state. And, I would urge that any improvements be limited to widening with required passing lanes in the areas considered necessary. And, that the sorely needed funds be used in other areas that are more in need than an area that, in my opinion, would be adequately served with the suggested minimal improvements and further, that those minimal improvements would adequately serve to "help improve the economy of the Hi-Line region."	Comments noted.
29	Ed Gulick	7/19/2004	Website	[1] After reviewing the DEIS analysis of Highway 2 alternatives, I think it's pretty clear that the Improved Two-Lane Alternative is the most responsible choice. While there have been a number of politicians and others on the Hi Line advocating a 4 lane highway, I find their arguments unconvincing: the study clearly demonstrates that the existing highway can easily accommodate traffic volumes, and there is no evidence to suggest that spending many millions of taxpayer dollars expanding the highway is an effective or reasonable means of economic development. The four lane alternatives are not merely unnecessary; they use limited economic resources that should be applied where they are most needed. A 4-lane highway would also require greater financial resources to maintain, even if the additional lanes are rarely used. Furthermore, I believe that the four lane alternatives would have a detrimental effect on the communities along the highway, including the demolition of homes and businesses. [2] However, I do recommend that the MDT include some amenities for the communities on the highway in its budget: the communities would benefit from money for attractive streetscapes and traffic calming devices, such as brick crossings for pedestrians and bicyclists.	[1] Comments noted. [2] In response to the last paragraph of this comment, costs have been included in each of the alternatives for context-sensitive design features, including streetscaping, community landscape entry treatments, and pedestrian and bicycle improvements in the communities. Specifically, as discussed in Chapter 2 in the section on Context-Sensitive Design Elements, landscaping and entry features would be incorporated into the design adjacent to communities to assist in identifying communities for travelers on US 2. Pedestrian crossing signs and crosswalk markings, such as colored or textured pavement, would assist in increasing visibility of the US 2/Indiana Street pedestrian crossing in Chinook. Curb extensions, which would minimize walking distance across Indiana Street and would visually highlight the crossing for travelers, will also be considered for the intersection during final design.

No.	Affiliation	Date	Form	Comment	Response
30	A.R. (Toni) Hagener	7/17/2004	Website	[1] I appreciate the opportunity to comment on the EIS for Highway 2 extending from Havre to Fort Belknap. I support the concept of a 4-lane in that area primarily as a safety measure for a heavily trafficked, accident prone, section of that highway. [2] I am also supportive of long range planning that includes the construction of a 4-lane the full length of that highway across Montana.	[1,2] Comments noted.[3] Please see response to Point 6 in Comment 16. The economic study conducted for this project is appropriate given the scope of the project.
				This Havre to Fort Belknap segment should be regarded as the first link in that overall construction plan. [3] Good roads DO provide safety, access, convenience AND economic development! The economic factors involving the entirety of Highway 2 is an unfortunate omission in the current EIS and one in need of correction before final action is taken.	
31	Larry and Doris Jess	7/16/2004	Website	It is apparent that the silent majority (our household is one of this group) again chooses to not attend and be heard at your public meetings. I can't speak for everyone but I can say that there are a lot of us who choose not to attend your meeting because of the news media. Over the past decades the American people have allowed the media to only recognize the negative and/or controversial side of an issue to be newsworthy. If a person tries to get them to print information that is sensible they seem to turn the words around to present a conflict of some sort. We would like to go on record as supporting a two-lane highway that contains some standard minor intersections, left turn lanes, minor realignment and shoulders and slopes to meet present Federal Standards. There is not enough traffic to justify the system that the "4 for 2" people are requesting. We have lived in an area where a new road was built to attract people to a specific area. It ended up a "new road to nowhere" and was used no more than the old road.	Comments noted.

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No.	Affiliation	Date	Form	Comment	Response
No. 32	Affiliation Mick Thompson	<i>Date</i> 7/14/2004		[1] The center turning lane doesn't adequately address safety while entering the highway with agricultural equipment. [2] Consider a toll highway to help pay for a 4-lane.	[1] In response to the comment regarding turn lanes, center turn lanes are proposed at intersecting public roads where warranted by traffic volumes. These lanes are proposed to safely accommodate left-turning traffic from US 2 bound for the intersecting street. Center turn lanes are not proposed at field accesses. Under all alternatives, as described in the Access section of Chapter 4 of the EIS, the highway would be a limited access facility. Access management would vary by location and type of access. Some driveways, including field accesses, may be consolidated or realigned to intersect other nearby public roadways. Under the Four-Lane Divided Alternative, accesses would be limited to right-in/right-out movements. Access management would provide safety and traffic operations benefits and would concentrate vehicle turning movements when possible so they could be accommodated with appropriate intersection treatments like turn lanes. Other safety enhancements for agricultural equipment entering the highway would be provided by the widened shoulder and clear zone, which would improve sight distance for entering traffic and provide increased turning radius. [2] Tolling this section of US 2 did not support one of the project
					goals to "support economic vitality." The added cost of a toll could result in some US 2 regional traffic (i.e., truckers and tourists) diverting from US 2 to other routes. In addition, the US 2 communities, which have few alternate routes, would pay these tolls for US 2 trips. This additional personal cost may deter residents from commuting between communities for goods and services, which would negatively affect economic conditions in the communities.
33	Kathy Long	7/14/2004	Public Meeting	 [1] The corridor between Chinook and Harlem is dangerous. Had several close calls with accidents. In the Roman Empire, economic growth didn't happen until there was a roadway to open new areas for development. There will be additional development with a widened road. [2] Funding - state and feds need to consider that there is federal funding for highways. In some areas of US 2 (Fort Peck), there are more than two lanes so build on that. 	[1] Comments noted. [2] As discussed in the Project Funding sections of Chapters 3 and 4 in the EIS, National Highway System projects are funded through a combination of federal and state funds. Federal funds typically compose 87% of project funds, and state funds compose 13%. Federal funding appropriated for highway projects usually requires state matching funds. The legislation passed with Senate Bill 3 requires that the four-laning of US 2 be funded with federal funds not requiring state matching funds. This type of federal funding would require a special appropriation from Congress, and has been considered in the evaluation of the proposed alternatives.
34	Kristi Warburton	7/14/2004	Public Meeting	Own 4 1/2 acres east of Chinook (MP 410 and 417), don't need 4-lane, 2-lane with shoulders would be sufficient. Tourism brings minimum wage jobs not real jobs. Agricultural equipment can ride on improved shoulders. As property owners along US 2, we have say, too.	Comments noted.

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No.	Affiliation	Date	Form	Comment	Response
35	Pam Harada	7/14/2004	Comment Sheet	FHWA should consider at least 4-lane from Fort Belknap to Harlem. Lots of turning traffic and higher volume between communities.	As described in Chapter 2 of the EIS, left and right turn lanes would be added in Harlem between Thirty Mile Road and Lincoln Road under all four build alternatives. Turn lanes in Fort Belknap would remain similar to today, with additional left and right turn lanes at some intersections. Additionally, the intersection of Water Plant Road, Lincoln Road, and US 2 would be further evaluated for operational improvements during final design under all alternatives.
36	A.P. Kaluza	7/13/2004	Comment Sheet	Four-lane, undivided, to start. Improvement later on as traffic demands.	Comments noted. All build alternatives including the preferred alternative, the Improved Two-Lane with Passing Lanes, would
			Sneet	Four-lane, divided, if heavier traffic demands. Four seasons weather determining.	improve safety.
				Present Highway 2 has many, many possible fatal places from the Montana-Dakota border to the Montana-Idaho border.	
37	Glenn Mueller	7/14/2004	Letter	This is in relation to the future of Highway 2. I live near Highway 2 in Libby and lived in Malta for nine years. I drive portions of this highway often. I still drive from Libby to Malta and Glasgow about twice a year.	Comments noted.
				Certainly there are areas on Highway 2 that should be four-lane, where studies show that traffic is present, such as Kalispell - Columbia Falls and West Glacier, but to four-lane most of this road is ridiculous. We have so many roads such as Highway 93 that have much higher priority.	
				It is sad to expend dollars on this study, which is strictly a political ploy. Certainly, parts of Highway 2 need to be updated with a wider two-lane.	
				Common sense needs to be applied here and drop the four-lane concept across the entire state of Montana.	

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No.	Affiliation	Date	Form	Comment	Response
38	Marvin Presser	7/13/2004	Letter	I was reading the editorial page in today's Great Falls Tribune where the subject was what to do with the re-construction of Highway 2 along the Hi-Line. [1] I find it interesting that our neighbor to the east, the State of North Dakota, is working hard to complete a four-lane corridor completely across their State. Their governor, John Hoeven, has been very supportive of the project. In a press announcement he made several months ago he stated, "We are pleased today to announce the four-laning of US Highway 2 between Minot and Williston, which is a key factor in expanding economic and business opportunities in the northwestern region of our state". Governor Hoeven went on to say "A strong infrastructure is crucial to attracting new businesses and the kinds of higher paying jobs we are working hard to attract".	[1] The Final EIS for the North Dakota US 2 project - United States Highway 2, US Highway 85 to West of US Highway 52, Williams, Mountrail, and Ward Counties, North Dakota, Final Environmental Impact Statement/Section 4(f) Evaluation - is available for review on the North Dakota Department of Transportation (NDDOT) website at: http://www.state.nd.us/dot/projects/ushwy2.html. The EIS does not cite any economic studies assessing the impacts of a four-lane highway in the project area. The economic impacts section of the EIS states that North Dakota's highway system is "pivotal in enabling economic growth" and that "a safe and reliable US 2 is an important component in supporting the economy of northwestern North Dakota." The impacts analysis does not, however, state that a fourlane highway would create economic growth in the project area.
				[2] In direct contrast to these actions, our Governor Judy Martz has shown no support for "4 for 2" and very little interest in the good folks that are struggling to survive along Montana's Hi-Line. Also, I seem to recall a study done in Montana that "proved" that the economic impact of a fourlane Highway 2 would be negligible. It is amazing to me that North Dakota studies were so different! This reminds me of a saying I heard many years ago (which still seems to be true today) - "While Montana folks are busy making up North Dakota jokes, North Dakota is busy building highways". I urge you and the MDT to support a divided US Highway 2 from border to border. It will make a huge difference in the economy of the Hi-Line!	As described on page 1-24 of the North Dakota EIS, the North Dakota legislature passed a resolution in 1975 urging "the Highway Commissioner to concentrate efforts" on bringing US 2 "up to expressway standards within 10 years. The 1977 North Dakota Legislative Assembly passed a one-cent increase in the state gasoline tax to assure the state would have adequate finances for needed highway improvements." Since then, numerous four-lane projects have been completed on US 2 in North Dakota. [2] Governor Martz signed Senate Bill 3 into law in 2001. Montana has sought special federal funding for the effort every year since then. MCA 60-2-133 requires the state to seek federal aid that does not require a state match and prohibits the state from spending funds on a four-lane for US 2 if it would jeopardize other highway projects.

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No.	Affiliation	Date	Form	Comment	Response
39	A.P. Kaluza	7/26/2004	Phone	[Comments taken over the phone by DEA staff] [1] Two-lane improvements, no matter how many passing lanes, are nonsense. US 2 is the most dangerous highway in the U.S. [2] The highway needs to be four lanes for better safety; too many people have been killed on US 2 and will continue to die if the road isn't improved to four lanes. Farm equipment and semi-trucks take up two to three lanes turning onto and off of the highway; they need a wider highway. People writing the US 2 study should come spend a month driving the highway in the winter before making a decision. [3] The US 2 section between Dodson and Malta, particularly on the railroad overpass, is also dangerous and needs to be improved. [4] As for the bicyclists, the corridor doesn't need them, they often don't know how to ride properly, and they make the highway more dangerous for drivers.	[1] As documented in Chapter 1 of the EIS, the all-vehicle accident rate of 1.51 accidents per million vehicle miles traveled (VMT) for the segment of US 2 between Havre and Fort Belknap is slightly higher than the statewide average accident rate of 1.36 accidents per million VMT for the years between 1997-2001 for rural non-Interstate National Highway System (NHS) highways. MDT maintains statistics on accident rates on Interstate, non-Interstate NHS highways, and state primary highways. There are more than 20 non-Interstate NHS highway and state primary highway segments with accident rates greater than 2.75 accidents per million VMT in the state of Montana for the years 1998-2002. Although these other Montana highways have higher accident rates than US 2, safety on US 2 is important. [2] In response to paragraph 2, all build alternatives would be improved to 2.4 m (8 ft) shoulders to allow additional room for slow-moving and oversized trucks and equipment to travel and turn onto and off of the highway. In addition, the clear zone to each side of the highway would be improved, flattening the steep side slopes that currently exist along much of the highway today. [3] In response to paragraph 4, comment is noted, however, the Dodson-East project will improve the referenced section of roadway; it entails road and bridge reconstruction and is scheduled for 2005 construction if funding is available. [4] The 2.4 m (8 ft) shoulders would improve safety for bicyclists in the corridor. Rumble strips would be constructed on the inner edge of the shoulder to warn drivers if they leave the travel lane. Beyond the rumble strip, 2 m (6.5 ft) of the shoulder would be available for bicycle use. Montana law allows bicyclists on all public roads. Federal guidance requires the consideration of bicyclist and pedestrian needs, as appropriate, in the development of federally-funded projects.
40	Tracey Warburton	7/29/2004	Website	I am STRONGLY in favor of "4 for 2". Anyone who feels this isn't a necessary improvement for our state should drive between Chinook and Havre on any given day. I am amazed that there haven't been more accidents. I give credit to the locals who are familiar with this highway and feel the need to drive defensively. This is a VERY busy highway; semi trucks, farm equipment, Canadians, tourists, business travelers and locals. I, personally, try to avoid driving during peak hours due to the high traffic volume. What should be a relaxing, 30 minute drive from Havre to Chinook, is very stressful. It's time someone cared about OUR safety.	Comments noted. All alternatives including the preferred alternative (Improved Two-Lane with Passing Lanes) would improve safety, with wider shoulders, improved clear zones, and flatter side slopes.

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No.	Affiliation	Date	Form	Comment	Response
41	Janine M. Donoven	7/30/2004	Website	I am writing to show my support for the proposed 4 for 2 project on U.S. HWY 2.	[1] Safety concerns are noted. Addressing safety has been identified as a goal of this project as stated in Chapter 1. The Safety section of Chapter 3 includes crash data from 1997 through 2001.
				[1] As a lifelong resident of Havre, I have seen my fair share of tragic accidents on this stretch of highway. Mothers, Fathers, Daughters, Brothers, Husbands and Wives loved ones, who have lost their lives and are no longer are alive to speak about this issue. Check your records.	[2,3,4] All of the build alternatives, two-lane and four-lane, incorporate improvements that respond to the issues identified in Chapter 1. The existing highway has narrow 0.6 m (2 ft) shoulders and steep side slopes along the majority of the project corridor. All
				I have listened to all of the "scuttle-butt" about the financial issues involved and fully understand the enormous complexity of this project, however, I ask you, "Is it possible to put a price on the life of a loved one?"	build alternatives would widen shoulders and provide 2.4 m (8 ft) shoulders with rumble strips, and an improved clear zone consisting of wider and flatter slopes to the sides of the highway. These improvements would allow additional room for slow-moving and oversized trucks and agricultural equipment to travel and turn onto and off of the highway. The alternatives would also increase the
				[2] I believe that if ANY of the people sitting in their executive chairs making this important decision would drive this road in the height of haying and harvest seasons they would FULLY SUPPORT this project. It is more than just a hope for economic growthit is an issue of providing a safe road!	distance between the highway and the railroad at prioritized railroad crossings to create safer conditions at these crossings. Substandard horizontal curves and vertical curves (sharp curves and steep grades) would be improved to meet current design standards. Bridges would be widened, and turn lanes would be added in locations where traffic volumes or safety conditions warrant.
				[3] Traffic is backed-up for miles as vehicles wait to attempt to pass a fully loaded hay semi or semi pulling a combine or a piece of farm machinery moving from one section of land to the other. Then add a few motor homes, a pick-up pulling a camper or a boat, now some cars. A lot of times, the only way you can pass someone is to "gun-it and pray". This traffic situation is extremely dangerous!	[3] In addition to wider shoulders and safety improvements, the preferred alternative, Improved Two-Lane with Passing Lanes, would provide passing lanes at several locations along the corridor. [5] As discussed in Chapter 1 of the EIS, issues concerning roadway
				[4] Also, a fully loaded hay semi and or tractor trailer doesn't leave much room for error for oncoming traffic. The road, as it sits now, is very narrow and has very little, if any, shoulder to try to give room.	design, safety conditions, and traffic operations were identified. These issues include substandard roadway width, substandard shoulder width and inadequate recovery area, steep side slopes in the clear zone, inadequate distance between the railroad and the highway at intersecting roads (railroad offset), substandard vertical
				[5] If there is any doubt that this project needs to be completed, I encourage you and your colleagues to take a road trip across the U.S. Hwy 2 proposed site right now. I am confident that you will experience first hand the scenarios that I have touched on and will have no problem recommending that this project be approved.	and horizontal curves, narrow bridges, slightly higher accident rate than state averages, lack of adequate bicycle facilities, lack of pedestrian accommodation in communities, accidents with wildlife, uncertainty in passing maneuvers, high number of accesses, and lack of turning and acceleration lanes.
42	Stella Faydo	7/27/2004	Comment Sheet	I would like a four-lane undivided for our highways [sic].	Comment noted.

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No.	Affiliation	Date	Form	Comment	Response
43	Gloria Mason	7/27/2004	Comment Sheet	On the EIS for Havre to Fort Belknap - How can this section apply to the entire U.S. Highway 2 across Montana? I disapprove of only doing 45 mile EIS [sic].	The termini for this project were established in consultation with local officials. The 45-mile scope of the project (as opposed to a border-to-border study of US 2 in Montana) was based on available funding, federal stipulations attached to that funding, and scheduled projects on segments of US 2. Please see the response to Point 6 of Comment 16 and the Project Background section of Chapter 1 of the EIS for a discussion of how and why the specific termini for this project were chosen. Please also note that the Montana Highway Reconfiguration Study was initiated in 2001 to examine the economic impacts of widening Montana's two-lane highways; this study includes analysis of US 2 from border to border in Montana.
44	Joni Stewart	7/27/2004	Comment Sheet	I do not support or approve of the Draft Environmental Statement for US 2, Havre to Fort Belknap. I disapprove on the project's limitation of 45 miles. I do not believe the stretch of road chosen truly reflects the scope of the project.	Please see response to Comment 43.

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No.	Affiliation	Date	Form	Comment	Response
45	Norman Larson	7/7/2004	Letter	The economic analysis of Highway 2 is incomplete. The regional economic analyses found in the Journal of Regional Economics is replete with examples of the positive relationship of major federal capital expenditures to positive community economic growth. Specifically, I can recall an analysis of a major dam project in rural Kentucky and positive economic consequences on the entire region of the state. In Montana we have witnessed the economic consequences of the improvement of old Highway 10 to Interstate 94. Other examples are the Fort Peck dam, Libby dam, Hungry Horse dam and many other projects that have fundamentally altered a community economy or a region of our economy. Improving Highway 2 from East to West would have a similar effect. The effect of major governmental capital expenditures in infrastructure is not significantly different from major private sector capital projects. Colstrip generating plants and the Columbia Falls Aluminum plant are two examples of major private capital expenditures altering the economic structure of a community economy. I am a former resident of Northeast Montana. I am also a former regional economist. If you want serious confirmation of the economic consequences in regional economics, I can direct you to the Regional Economics Division, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, D.C.	The purpose of this EIS is to focus specifically on highway infrastructure; major capital expenditures for the types of capital projects suggested in this comment for economic development, such as dams and energy facilities, are outside the scope of this study. The examples of the Colstrip plants and the Columbia Falls Aluminum Plant are investments that directly create permanent jobs; the only direct creation of jobs from highway improvements are temporary construction jobs and a small number of permanent highway maintenance jobs. The Summary and Chapter 1 of the US 2 Havre to Fort Belknap EIS: Existing Economic Conditions Report, Final Document, June 2003 states that a review of other studies of the economic effects of highway investments finds substantial disagreement as to the extent and nature of regional economic impacts. Some studies have found that highway investments can create broad economic growth and development along highway routes; but many other studies have found that highway investments alone will not ensure economic development, absent other necessary factors including availability of competitively priced land, labor, capital, and supporting infrastructure. Other studies have concluded that highway access has become less important as a business location factor over time and that other factors, such as the quality and cost of labor, are likely to play larger roles in business location decisions compared to transportation access. Thus, there is no consensus in the economic development literature that highway capacity expansion will invariably lead to economic growth in a region.
				Obviously, I feel very strongly about the economic tragedy that has befallen Montana rural areas. Improving Highway 2 to 4 side by side lanes would begin an economic development process.	The economic study, as explained in Chapter 1 in the Study Methodology section, researched the economic development strategy currently in place for the study corridor and the reliance of that strategy's success on improvements in the transportation system. The researchers consulted extensively with officials with the Montana Department of Commerce, the Bear Paw Development Corporation, and other local economic development experts. In addition, the study was reviewed by the Director of the Bureau of Business and Economic Research at the University of Montana. Many economic initiatives proposed for the study area were found to have a high reliance on the highway system and a need for safety and operational improvements on US 2. There are very few initiatives, however, whose implementation and/or business

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expansion would benefit from major capacity improvements, such as additional travel lanes, to US 2.

No.	Affiliation	Date	Form	Comment	Response
46	Bob Sivertsen	7/21/2004	Email	[Email is addressed to Dave Galt, MDT Director]	[1] The EIS has been prepared in accordance with 42 USC 4321-4347, the National Environmental Policy Act (NEPA); 49 USC 303,
				[1] As the EIS Process continues, we are hopeful that the final draft is complete and credible. Both ICF [Consulting] & DEA [David Evans and Associates, Inc.] agree that it is flawed and, therefore, incomplete.	Section 4(f) of the 1966 Department of Transportation Act; MCA 75-1-101, et seq.MCA, the Montana Environmental Policy Act (MEPA); and 23 CFR 771, Federal Highway Administration (FHWA) policies and procedures for implementing NEPA.
				[2] However, they say that they fulfilled the spirit of the Role & Scope as outlined in their contract. I read the contract, and in my opinion, the contract does not comply with the law. They refused to analyze the impact of four laning in the corridor as SB 3 [Senate Bill 3] specified. Had they, the no's [numbers] in the report would be much different.	[2] The Montana Highway Reconfiguration Study was initiated in 2001 to examine the economic impacts of widening Montana's two-lane highways. As part of that study, the Highway Economic Analysis Tool (HEAT) was developed to analyze the economic impacts of proposed highway improvements. MDT plans to use this
				[3] I then asked for other directives or memorandums, as surely this must have been discussed between DEA & DOT [Montana Department of Transportation], and neither of you responded. You will no doubt respond that the Reconfiguration Study analyzed the corridor. We don't accept that, as Cambridge Systematics were biased and stated their views before we started the EIS.	tool to analyze economic impacts of highway improvements throughout the state. The termini for the Havre to Fort Belknap project were established in consultation with local officials. The 45-mile scope of the project was based on available funding, federal stipulations attached to that funding (the funds could not be spent "for any purpose along those sections of Highway 2 that are either
				[4] There has been one attempt after another to circumvent the law and to support your preference of an improved two-lane hwy. At the hearings on SB 3, you told us that, "You folks should be satisfied with an improved two-lane hwy." You got SB3 amended so that only fed [federal] monies could be used. Your reasoning being, "We don't want to jeopardize other	contiguous with or are in the general vicinity of Glacier National Park"), and scheduled projects on segments of US 2. Please see the response to Point 6 of Comment 16 and the Project Background section of Chapter 1 of the EIS for a discussion of how and why the specific termini for this project were chosen.
				hwy projects in Montana." We heard you loud and clear. We in the # 2 Corridor aren't important; we are 2nd class citizens. Judy [Martz, Governor of Montana] and you have lost a lot of support in the corridor, and unless things change, there will be changes politically in Helena.	The contract for this project is similar to the contracts for other transportation improvements currently being studied on US 2. As a result of Senate Bill 3, this project is analyzing four-lane improvements for this segment of highway. As discussed in Chapter 1 of the EIS, four projects were originally planned for this segment of highway, none of which considered four-lane improvements. These projects have been placed on hold pending the outcome of this EIS. This EIS analyzes improvements between Havre and Fort Belknap, as these locations are logical termini for evaluation on a broad scope of the impacts of proposed improvements.
				[5] Having said that, we haven't given up and will continue to strive for an EIS that is fair, complete, and credible. We are hoping that is your goal also, but you have to quit using false statements to support your preference. Here are a few: "FUNDING IS UNCERTAIN FOR 4 For 2." Funding is not part and parcel to these deliberations. You know very well	
				that is Step II in the process, and any such references thereof should be stopped.	[3] There are no memoranda from MDT to the consultant regarding Senate Bill 3, and therefore there is no information to provide in
construct a for speculation or your preference [7] There are of in the EIS to sequoting individually when in all real	[6] SB 3 states that DOT will seek federal funding. "DOT doesn't have to construct a four-lane hwy if the funding isn't available." That is pure speculation on your part and is another excuse you are using to support your preference.	response to this request. However, the text in the EIS referencing Senate Bill 3, funding, and the four-lane improvements on US 2 analyzed in the Montana Highway Reconfiguration Study was developed in consultation with MDT and FHWA.			
				[7] There are other statements that you have made or caused to show up in the EIS to support your preference. I find it interesting that you are quoting individuals from the academic world to support your preference, when in all reality, one would think that when it has to do with Economic Development, the people that own a business and create jobs are the	[4] Comment noted. No laws have been circumvented in the preparation of this study. Records of the Senate Bill 3 hearings during the 2001 legislative session were reviewed and the quotes referenced in this comment were not found.
				ones that one would consult.	[5] As discussed in the Project Funding sections of Chapters 3 and 4 of the EIS, funding for the cost difference between four-lane and two-lane improvements must be federal funding that does not require

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lane improvements must be federal funding that does not require

[8] Let me make it very clear that I have never called you any names, as

Mick [Johnson, MDT Great Falls District Administrator] said, and I have state mate	ching funds, per Montana Code Annotated (MCA) 60-2-
not, nor will I, endorse any candidates. I was misquoted in the [Great Falls] Tribune and have asked for a retraction. [9] Dave, it is my hope that we can work together to bring about a fair, complete, and credible EIS. I pledge to work to that end. In contrast sources a the near t project, an informatic many fact alternative. [6] Every Montana specified using other to bring about a fair, and the earmany fact alternative of the project, and informatic many fact alternative of the project alternative of the project alternative of the project alternative	a special appropriation from Congress would be needed to bur-lane improvements. This type of funding has not been do a appropriated, and therefore it is uncertain at this time. It, the two-lane alternatives are eligible for several funding that therefore have more opportunity to be implemented in the erm. Cost and funding can affect the ability to implement a rem. Cost and funding, although important, is only one of the or cost and funding, although important, is only one of the or considered by FHWA and MDT in selecting a preferred or on any roadway project. Wear since Senate Bill 3 was signed into law in 2001, that sought special funding. The lack of federal funds as in Senate Bill 3 for a four-lane highway doesn't preclude or funding sources for safety improvements. So 2 Havre to Fort Belknap EIS: Existing Economic is Report, Final Document, June 2003 is available on MDT's thitp://www.mdt.state.mt.us/us2info/. The report provides cal economic development officials and others involved in acctors in the corridor who were consulted to research development plans and initiatives in the area.

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No.	Affiliation	Date	Form	Comment	Response
					•
47	William Court	8/3/2004	Letter	[1] This letter is being drafted by me to be included in the comments regarding the draft impact study for US Highway 2. Please include these comments in your study. I am also sending copies of this letter to other	[1-6] Comments noted. [7] As documented in Chapter 1 of the EIS, the all-vehicle accident
				parties who have expressed their interest in the project.	rate of 1.51 accidents per million vehicle miles traveled (VMT) for the segment of US 2 between Havre and Fort Belknap is slightly higher
				[2] First off, I have been a past resident of Valley County for 69 years and a current resident of Yellowstone County for 8 years. We still own	than the statewide average accident rate of 1.36 accidents per million VMT for the years 1997-2001 for rural non-Interstate National
				property which is bisected by US Highway 2 east of Glasgow, Montana in Valley County.	Highway System highways. The severity rate and index are below state averages for all vehicles and for trucks, and the truck accident rate is below statewide average as well. The two-lane and four-lane
				[3] This letter, along with my comments, will be to the point without any frivolous dissertation. MONTANA and the UNITED STATES need a highly improve US Highway 2. Yes, a four (4) lane highway - divided preferred - should be one of our highest priorities - one based upon the North Dakota model of US Highway 2.	alternatives will address safety issues by providing important improvements over existing conditions including wider shoulders and improved clear zone.
				[4] We as a state and nation made a grave error when the planners of our	[8] Comment noted. There is not a clear correlation between four lane highways and new economic development or population growth
				Interstate Highway System proposed and built only one (1) East-West 4-	in Montana. For example, Flathead and Ravalli Counties were two of
				lane highway across the state. Acknowledging the size of our state, I and many others were supporters of an expanded system which would have	Montana's fastest growing counties between 1990 and 2000 with population increases of 26% and 44%, respectively. However,
				included a northern route also. But then, as now, common sense did not	neither of these counties is connected to the rest of the
				prevail, and in its place was a measure of politics and a complete	transportation system with a four-lane highway. On the other hand,
				disregard for the people and the commerce of the northern region. Well, that is "water over the dam", but the need still exists for a four (4) lane	the population of counties such as Deer Lodge, Rosebud, Prairie, and Wibaux, which are served by Interstate Highways, declined by as
				highway across northern Montana.	much as 13% during this same period. In some cases, the population declines in Eastern Montana counties served by Interstate
				[5] Let us start with the four (4) lane - divided preferred - segment of Harlem to Havre - then let us move forward expeditiously with	94 were greater than those of similar counties along US Highway 2.
				construction of a four (4) lane US Highway 2 across Montana.	[9] As documented in the Safety section of Chapter 4 of the EIS, all build alternatives would improve safety on US 2 between Havre and
				[6] Critics of an expanded US Highway 2 erroneously argue that traffic	Fort Belknap through the provision of wider shoulders, wider and
				use doesn't warrant building two (2) more lanes. I beg to differ with those who expound such rhetoric.	flatter side slopes, improved clear zone, improved distance between the railroad and the highway at prioritized railroad crossings,
				[7] I have lived and worked along US Highway 2 and have driven substantial segments of the road thousands of times. My experience has	improved vertical and horizontal curves, wider bridges, and turn lanes and auxiliary lanes where warranted.
				shown me the need for a four (4) lane road because of the hazardous mix	[10] Comment noted.
				of autos, motor homes, 5th wheelers, farm trucks, service trucks, petroleum transport trucks, large truck-semi trailer combinations,	[11] US 2 in Montana is owned and maintained by the state. The
				motorcycles, bicycles - all this along with slow traffic and fast traffic. I	state uses both Federal and state highway funding for construction.
				have seen the wrecks and the close calls when vehicles had to hit the ditch to avoid a collision. I can only imagine the frustration and the road rage generated by such a hazardous situation.	However, Federal laws prohibit the use of Federal funds for most routine maintenance.
				,	[12] Comment noted.
				[8] Critics also question the logic of "build it and they will come" or that it	
				will spur Montana's economy. All the critics have to do is to look at the benefits the "4" lane interstate system has done for traffic and the	
				concerns the 4 latter interstate system has done for traine and the	

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economy along those other routes. US Highway 2 suffers a reduced traffic flow only because the touring public prefers driving the "4" lanes. When auto clubs, AAA and others, plan a trip for the traveling public,

seldom do they lay out a route using "2" lane roads - even though the "2" lane route may have been a shorter and more direct route.

[9] Critics say that we cannot afford another 2 lanes. Again, I beg to differ and here is the legitimate reasoning for differing. What price for SAFETY? No, 2 more lanes won't eliminate all accidents, but they will improve the statistics considerably.

[10] Those with vision can see the commercial benefits for the future. Commercially, let us not forget that the northern tier of Montana generates a huge amount of the state's production of agricultural commodities, grains, livestock, hay and other crops. In addition, there is a sizeable amount of mineral production and forestry. Let us not forget the tourism industry along with intensive recreation, hunting, fishing and boating - all needing an improved US Highway 2 - the northern tier of Montana should not have a back turned on it!

[11] I agree with those who say this "four (4) for two (2)" improvement should be federally funded. It has always been a designated federal highway and not a state highway, and as such, the construction and maintenance should be weighted heavily as a federal government responsibility. Let's put this into perspective - surely a nation that is spending huge sums on projects worldwide and yearly that cost thousands of times the cost of a "four (4) for two (2)" project can find some loose change somewhere. Let us put our priorities in order and develop our country first!

[12] Please consider my comments favorably and thank you for letting me present them strongly endorsing a "four (4) for two (2)" for US Highway 2.

48 Dave Sekora 8/9/2004 Email

I'm a traveling salesman and travel approximately 35,000 miles each year. The majority of my travel time is spent on US 2, as I travel this route every two weeks. I realize that MDT has to consider all alternatives when working on the road, but I feel that considering building a 4-lane on US 2 is the biggest waste of money in the world. I've traveled on this road during all hours of the day, and a 4-lane isn't needed even during peak hours in the summer. Considering spending even fifteen cents on a 4-lane is ridiculous. The only place that may ever approach needing additional lanes is the area around some of the towns (Havre or Chinook). With the needs around the state (Kalispell bypass, Billings bypass, Great Falls bypass) there is no good reason to widen US 2. Building a 4-lane will only encourage people to drive faster through the towns that are there.

Comments noted.

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DEIS Comments

No.	Affiliation	Date	Form	Comment	Response
49	Terry Sehead	8/11/2004	Comment Sheet	The northern tier of Montana is in need of safer roads. With the loss of public transportation businesses, its citizens are required to provide their own means of transporting their products, their relatives and themselves to market centers, health care facilities and cultural centers. What this equates to is greater numbers of travelers on the highways. Add this to the numbers of travelers for recreational usage, in state and interstate trucking, natural resource development company vehicles and you have congested highways.	Comments noted.
				Developing a 4-lane road system will not only increase safety of our road system, but will provide and create job opportunities and enhance development of the area's natural resources by creating new business and new job opportunities.	
50	Pete Steinmetz	8/11/2004	Comment Sheet	Anyone who travels the Hi-line knows Highway 2 is often overcrowded with vehicles. Safety is an important concern. With the addition of the two new stores in the Holiday Village mall traffic on Highway 2 has increased considerably in the past year.	Comments noted.
				In addition to safety a four-lane highway is essential to our economic survival along the Hi-line. In the past several years north central Montana has been economically devastated by the government's CRP programs and drought. North Dakota has its 4-lane highway across its northern tier almost completed and it has made a tremendous difference to their economy, according to a spokesman from that state who spoke in Havre a couple of years back. North Dakota feels that the four laner [sic] needs to be completed across Montana in order to realize the full economic potential to that state.	
				If we are not successful in 4 laning the Hi-line, they intend to pursue a connect [sic] with Highway "90" to the south. If that happens it could very well deliver an economic blow to the Hi-line that would finish the demise of our rural communities in northern Montana.	
				A four-lane highway across northern Montana could benefit the entire state once completed and eventual north south connects [sic] are completed.	
				Four-for-Two needs to become a reality not only for safety on our highway but to insure and enhance our economic future on the Hi-line.	

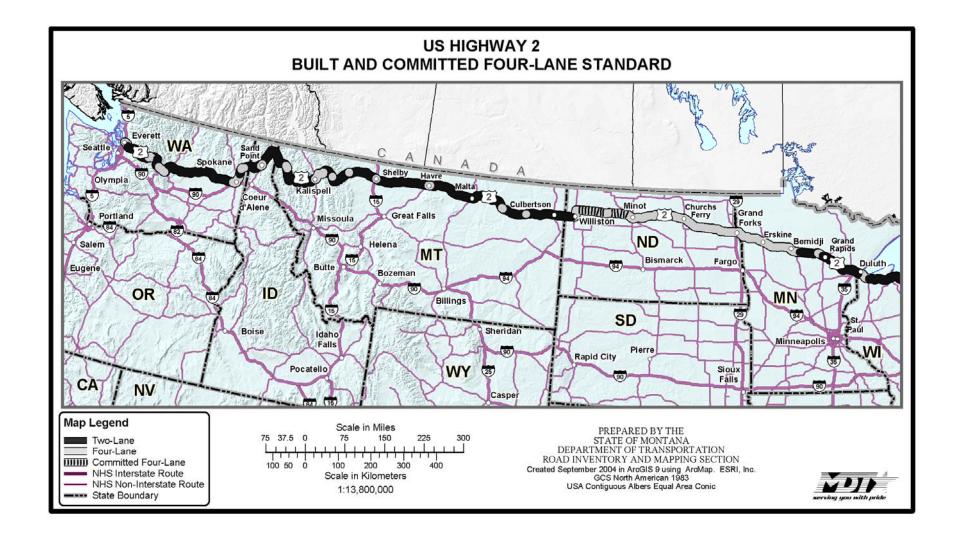
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DEIS Comments

No.	Affiliation	Date	Form	Comment	Response
51	Heather Stein	8/12/2004	Email	I am sending this email in support of 4 lanes for Highway 2 from Havre to Fort Belknap. This decision is a "no brainer" in my opinion. A four-lane highway will increase safety and will increase tourism. Numerous drivers make their way through Montana avoiding Highway 2 because it only has two lanes. Currently, numerous drivers use the southern interstate route as they travel through our state even though they would prefer to take the northern route or perhaps stop at Glacier National Park. However, the two-lane highway prevents them from planning a trip along the Hi-Line. Tourists view a two-lane highway on a map as a slow-crawl, a risky endeavor, a hang-up in their destination. Increasing to four lanes will bring more money to the Hi-Line. The benefit of economic development cannot be denied. The towns on the Hi-Line are in great need of a surge in economics. Please do not deny this economic "life- line" to the Hi-Line. Problem solve, think out of the box, compromise - but please ensure that the safety and economic needs of the Hi-Line are being met. Four lanes for Highway 2!	Comments noted. There is not a clear connection between four lane highways and new economic growth. As documented in Chapter 4, Economic Growth Impacts and US 2, Havre to Fort Belknap EIS, Existing Economic Conditions Report (ICF Consulting, 2003b), none of the build alternatives discussed in the DEIS would result in significant economic benefits.
52	Richard T. Harada	8/13/2004	Email	I am writing in full support of four lanes for US Highway 2 between Havre and Fort Belknap. I have experienced two lane highways with intermittent passing lanes in Arizona and on Highway 2 near West Glacier in Montana. In both areas I have found the passing lanes to create extreme safety concerns. When drivers are using the passing lane and the passing lane is ending, it becomes a dangerous race to merge back to two lanes. I have witnessed many instances where the vehicle being passed must slow down and move over to the right and the on-coming vehicle must do like wise.	Comments noted.
				I also feel that any responses from South of a line extending from Sidney to Lincoln should not carry as much weight as those from North of said line. The Southern part of the State has their four lane road and are biased by fear of losing traffic. The Northern part of the State is in fear of losing their lives as well as their livelihoods.	
				There is a misconception that we in the North want a four lane highway across the US 2 route to be completed within a couple years time and at the expense of other projects in the area. This is not true. We realize that this is a long term project. We merely want to have safe roads to travel and to have an opportunity for economic development. The project from Havre to Fort Belknap is merely a point from which to begin.	
53	Thomas Petrillo	8/2/2004	Letter	[Letter to Governor Martz] I just want to tell you that I am truly against the 4-for-2 Highway 2 expansion [sic]. The traffic does not warrant enlargement except perhaps in isolated locations. Between E. Glacier and the North Dakota border, it's hard not to fall asleep at the wheel. And between E. Glacier and W. Glacier a critical wildlife corridor exists that would be irreparably damaged by a 4-lane highway. Please put the nix [sic] on 4-for-2.	Comments noted.

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DEIS Comments



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4	PUBLIC HEARING
5	US HIGHWAY 2, HAVRE TO FORT BELKNAP
6	HAVRE, MONIANA
7	JULY 13, 2004
8	
9	
10	ORIGINAL.
11	
12	SPEAKERS:
13	From the Firm of David Evans and Associates
14	DEBRA PERKINS-SMITH, Project Manager
15	JOE HART, Traffic Engineer
16	STEVE LONG, Highway Engineer
17	
18	
19	
20	
21	Stacy M. Ellery
22	Registered Professional Reporter
23	
24	
25	

PROCEEDINGS

1

My name is Mick Johnson. MR. JOHNSON: 2 Let me start out by making a couple of 3 introductions of some of the staff that we have in 4 If you'll just wave out or stand up, we 5 the room. would appreciate that. The Department of 6 Transportation has three or four people here today 7 and the first one we have is Karl Helvik- Karl is 8 a Consultant Design Engineer. He's actually in --9 he's out of Helena. He's our lead on the project. 10 Doug Wilmot- Doug is a District Construction 11 Engineer from Great Falls; he handles all the 12 construction in the district. We have from the 13 Federal Highway Administration, Ted Burch- Ted is 14 Operations Engineer out of Helena. We have Dale 15 Paulson; he is a Project Development Engineer out 16 of Helena. And we have Bob Seliskar and he is a 17 replacement. He's a temporary fill-in for the 18 District Operations Engineer. Our's just moved on 19 to Texas and Bob is filling in. 20 We have from David Evans and Associates, 21 the consultants that were hired to do the 22 Environmental Impact Statement, Joe Hart- Joe is a 23 Traffic Engineer. He's also the Vice President 24 Steve 25 for traffic for David Evans and Associates.

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Long- Steve is a Civil Engineer from David Evans
 1
   and Associates. We are going to start out with
 2
   Debra Perkins-Smith.
                         She is Vice President of
 3
   Environmental and she is project lead from David
 4
 5
   Evans and Associates.
            Before I turn it over to Debra, I was
 6
   going to make a couple of other introductions.
                                                    We
 7
8
   do have a few elected officials with us. Senator
                We have from Glasgow, Senator Sam
 9
   Ken Hansen.
                We have from Havre, Representative
10
   Kitzenberg.
   Bob Bergren. We have from Havre, County
11
12
   Commissioners Kathy Bessette and Doug Kaercher.
13
   Did I miss anybody? We have with us tonight a
                    She is recording over here. For
   court reporter.
14
   those of you who don't know, we have from the
15
16
   Great Falls Tribune, Jerry Miller and Tim Leeds
   from the Havre Daily News are both here recording.
17
   And from KOJM, Brandi Elings. She's right here.
18
19
   All right. And thank you all.
2.0
            With that, I will tell you that we have a
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With that, I will tell you that we have a presentation that Debra is going to make and then we are going to start the comments on the Draft Environmental Impact Statements.

Debra, with that, I'll turn it over to

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MS. PERKINS-SMITH: Good evening and thank you for coming tonight. This is a good turn out tonight. Let me start, this is the US Highway 2 project from Havre to Fort Belknap. You can see from here, it actually starts at the end of the curb and gutter section in Havre. It goes all the way through to Harlem. It goes through Lohman, Chinook, Zurich, Harlem and to Fort Belknap. It includes going through and transitioning at the 66, Route 66 intersection. So that's what we will be talking about tonight.

We started this project approximately two years ago. We have had a series of meetings, three sets of meetings over that time period, starting with identifying some of the issues: Why the project is needed, going all through them to developing alternatives to address some of those issues and then assessing those alternatives and evaluation of those alternatives. One of the reasons we are here tonight is to share with you the information from assessing those alternatives and also share with you information in terms of the preferred alternative at this point, based on that information, from both MDT and FHWA. So at this point we are also here very interested in

getting your comments on that information before a final decision is made.

2.3

Environmental Impact Statement and something that's called Section 4(F) Evaluation, the Corp of Engineers is also very interested in getting comments on what's called 404(b)(1) permit and that is for, this permit is required whenever there's discharge of dredge or fill materials into waters in the U.S. Often times, that is referred to as wetlands. When there is fill into any wetlands, this type of permit is required. The Corp would like to get any comments on that type of permit, if you have a comment specific to that. So we take the comments to the board and then provide them to them after these meetings.

Just so you know, this is the first meeting of a series of meetings this week.

Tonight, we are here in Havre. Tomorrow night, same time, we are in the Chinook, the Chinook

Motor Inn. And let's see, on Thursday at 11:30 we will be at Fort Belknap, at the Bingo Hall and then Thursday evening again at 6 o'clock we will be in Harlem at the City Hall. The presentation will be very similar at each of these meetings,

with a little bit of focus on that particular community for that night.

So tonight, we will go through the impacts and the evaluations for the entire corridor from Havre to Fort Belknap, but we will also focus a little bit of what's happening here in Havre. So, if you do have comments or questions on the other sections of the corridor that are outside of Havre, that's fine. We can take those and address those here tonight. We just thought most of the people would be interested in mostly the Havre section.

Let me make sure you all picked up this information when you walked in. We have an agenda with project purpose and need on the back. If you look at the bottom there, it tells you how you can provide comments. That's very important at this stage before a final decision is made. As Mick had mentioned earlier, we have got Stacy Ellery. She is available. She will be recording the entire proceedings so there will be an official transcript. You can also, after the meeting, go up to her if you want to give her a specific statement that you want entered into the

transcript. Stacy is here to do that.

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You can also comment by filling out this comment form and we will collect those here tonight, or there is a mailing address you can send this to later. If you want to grab a bunch of these forms, give them to your neighbors we can get comments on that later. There is also a web site address. You can make comments at that web site address. You can also comment to any of us individually after the meeting, and we will write down your comments and put them in with the other comments on these forms. Also, at the end of the presentation tonight we will have an open question and answer comment period. When we get to that point, I will give you some specifics as to how we would like to proceed with that portion of the evening and part of that is to help Stacy so she can get all of that information.

With that, let me explain what we do with those comments. Once those are all collected, we have a period until August 13, you can submit comments up until that period. You can submit comments after that period, but starting August 13, we are going to assemble to FHWA, and the specialists on the team look at those comments and

address those comments internally and then look at 1 the evaluation that was done for the E.I.S. and 2 see if there is anything they would refine in that 3 evaluation and also take those comments into 4 consideration when they make their final 5 recommendation for a preferred alternative. After 6 that, a final environmental impact is released and 7 then a Record of Decision and that's our schedule 8 on decision. We would like to have that Record of 9 Decision. When you have that Record of Decision, 10 you can then go forward and start implementing the 11 project, which is purchasing Right-of-way or -- we 12 cannot move forward until you have that decision. 13 At this point, I should mention there is no 14 funding for this project at this time, but that's 15 just our schedule in terms of getting through what 16 is required, environmental documentation process. 17 With that, we'll start with what's called 18 a "Purpose in Need for the Project." This was 19 developed over a series of meetings throughout the 20 entire corridor. The purpose, and I'm going to 21 read this directly to you: "Replace the aging US 22 2 with an efficient and safe highway that is 23 attractive to the needs of local communities, 24 agriculture, industry, commerce and tourism." 25

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This project is needed to provide an efficient highway to support economic vitality. We want to make sure that the traveling public can continue to travel on this highway and that it's efficient for them to get from one location to another on the highway. It's very important.

"Reduce roadway deficiencies and improve safety" is the next one. There have been a lot of concerns, in terms of these public meetings earlier, on safety. Known locations out there on the highway that the shoulder is very narrow, or there is no shoulder at all. The side slopes are very steep. So, it's very difficult if a car starts leaving the highway to recover and come up onto the highway because of those conditions. So we want to improve the highway to improve safety. There is also something called a clear zone outside of the highway itself and in many places, there are obstructions within that clear zone. So again, that could be a safety hazard.

There are 32 bridges along the corridor.

One of them is brand new now, but 31 other bridges will be replaced as part of this project and a lot of them are substandard. They are narrow, in certain location they are narrow. Again, we would

like to include safety for those reasons.

Improve traffic operations: You use this locally, in terms of living in Chinook, driving on the highway. There is local traffic, traffic within the town of Chinook, just moving back and forth, as well as regional traffic is moving very fast and they want to get through this corridor as fast they can. So, there is a conflict sometimes between the faster moving vehicles and the slower moving vehicles that are turning in and out of through ways. We want to address some of those traffic operation issues to help make this a more efficient highway. So, as part of this study and proposed improvement, we have taken a look at improving traffic operations as well.

Through a series of workshops that were held with the public, we came up with some design objectives once we started designing the project, the actual improve; enhancing the community connections, meaning enhance the connections between Lohman and Chinook and Havre; provide a safe and harmonious travel experience for all users, whether it's somebody who is in the corridor or outside of the corridor; maintain and promote, stay in contact with surrounding

communities and environment. We want to make sure that is improved, what you may do in the rural corridor maybe different what you do within Havre or Chinook, so you want the designers to be sensitive to where you are in the corridor and then strengthen community identity.

It was very important for, a lot of the communities felt they wanted something that would identify them has a community along the corridor. They didn't want to have a sense this is just, you know, a road blasting right past them. They wanted to create some sort of an identity so that travelers would know, oh, I am coming to a community, oh, I am coming to Chinook, so to actually identify the community in the corridor.

So, with that, I think we will head off into talking about public involvement just in case some of you, this is your first meeting, can understand the context in which these alternatives were developed, and Joe Hart is going to talk about that.

MR. HART: Thanks, Deb. Just as Debra talked about how the public comment was so important throughout the project, primarily in developing our alternatives, by listening to the

public input and it was very important during that element. Steve is going to lead off, right after me, talking about all of the details about each of the alternatives and our evaluation of those. But as we went through, we had a series of meetings and Deb mentioned we had three different types of meetings. We had public meetings. We had a Citizens Advisory Group that met on nine occasions and we had small group meetings with specific users of the corridor and property owners along the corridor.

The public meetings started off in October of 2002, and there was a meeting again in November of 2002, and May of 2003. Those were well attended and we had those in each of the communities. In those meetings, we really paid attention to the types of comments that were received about specifics along the corridor and so that effected the alignments and the number of lanes shown at each location, the turns lanes at each intersection. So that was a very important element of input.

The Citizens Advisory Committee was also very important and they met and really helped be our ears here in the Hi-Line area. We hope the

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public used them as a sounding board as well.
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   we did hear back that the public had a lot of
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   comment with our citizen advisors and those
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   included local citizens, representatives from the
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   cities and counties, the tribal government, the
   Chamber of Commerce and Bear Paw Development,
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   Highway 2 Association, trucking industry and
   Burlington Northern Sante Fe Railroad were all
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   represented on that. And that was a really good
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   group working with us.
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The small group meetings were irrigation 11 companies, emergency providers, business owners 12 and we are continuing to meet with business owners 13 14 about specific impacts, particularly here in Havre 15 and the railroad. There was also opportunities to comment through our web site that Deb mentioned. 16 We had a newsletter that went out before every one 17 of our public meetings and all of our information 18 at the public meetings is posted at the web site. 19 So you can get on there and look at all the 20 information from those previous meetings. There 21 22 was a public survey earlier in the project. 23 was a trucking survey conducted of the trucking companies and truck drivers along the corridor, 24 and all of that summarized, is in summaries in the 25

Draft Environmental Impact Statement.

With that, I think Steve is going to kick off describing the alternatives that you see here.

MR. LONG: Well, the project is twofold. First, to identify the problems and secondly, to suggest how to fix those problems.

Now, there's two pieces to that fixing the problem. First off, the physical geometry of the road. How does the roadway curve? How does it grade? How many cars can fit onto the roadway? How wide does the roadway need to be? How many lanes does the roadway need to be? I'm going to start out talking about a little bit how we chose where the roadway is going to go, and then I'm going to go in and discuss how many lanes the alternatives are.

What we basically came down to that where we put the roadway, or where we kind of looked at putting the road way was really a function of the railroad. The railroad was a very big constraint in this project. There are a lot of offsets to the railroad and the existing roads are very short. Okay. And that short distance created some problems, created some problems of traffic that has to cross the railroad to access the

highway and backup over to the railroad tracks essentially.

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Second, is cars turning off the highway and getting tangent to the railroad and being able to stop appropriately and see if there is a train there, so we wanted to make sure that we produced a lane that actually had enough offset from the railroad to the highway that made that safer. Now, of course when we do that there's a lot of impacts that happens. If you just grab a highway and move it over a 100 feet, we are going through a lot of private land and those kinds of things. So what we did is, we decided we should probably prioritize those type of improvements. Where do we actually move away from the highway and where do we kind of keep it closer to the railroad? we looked at two different things. We looked at how many cars use that throughway. How many cars use the county roads that we are talking about. If it's a private drive, it's different than if it's a very high used roadway.

The second thing we looked at is how bad is it from a geometric standpoint. When you're looking, is there really poor sight, is there constraints. We go through and evaluated each one

of the crossings and we prioritized which one do we really push away from, and which ones can we stay a little bit closer and that's basically where we set our alignment. For the most part, our alignment is set away from Lohman all the way We actually moved the highway to the to Zurich. south from where it is today. Never did we get closer than the existing highway. So where the edge of pavement is today, none of our alternatives actually get closer than that. anything, the majority, as I just pointed out, they are getting further away.

Once we decided to kind of decide where the highway should go, then we started in operational analysis. How big does the highway have to be, and that has to do with a lot of different things. And as Deb mentioned a few earlier: How many wide, how many lanes a highway is. We need to start out with how much traffic is there today and how much is there going to be in the future. So that's where we came up with our alternatives and we analyze it. We always start with the No-Build alternatives in environmental process, that gives us kind of a basis to compare all the alternatives. And maybe there isn't

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enough deficiencies to warrant it, or there is not operational need for the highway, so we always start with the No-Build alternative.
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The first thing we saw out there and we looked at was accident data and supporting the fact that these sites go from very steep and they are dangerous because if cars leave the road, they cannot recover to get back on the road. Second, as I mentioned before, was the railroad offset. So what we did with all our alternatives, we said we've got to flatten those slopes out. And we want comment to all the alternatives.

Okay. The first alternative we looked at was Improved Two-Lane rural typical section, and this is basically bringing the highway that's up there up to standards on our new alignment and that primarily had to do with two 8-foot shoulders and providing a lot smoother shoulder and side slopes.

The next alternative we looked at was the Improve Two-Lanes with Passing Lanes, and we located passing lanes in critical locations, mostly outside a community. That's where you find that the trucks have to gear down as they come into town, they slow down and it takes time for

them to build up speed. If we give them an opportunity to move over and let them clear, let the cars clear, it creates a lot better movement or flow of traffic. So we have some traffic-difficult locations that we have added passing lanes, if you will. Okay. Now, over the whole length of the project, this doesn't add up to more than five or so miles in each direction, but it really does help the operations of the roadway to get away from those slow moving vehicles.

The next alternatives is the Four-Lane Undivided, and basically, it takes the three lane section, adds another lane. We are going to add 8-foot shoulders and this actually operates a lot like a two-lane roadway and the outside lanes are used for the slower traffic to travel. It also adds another improvement to access. When you look, you see how people enter and exit. If we can give people some advantage of an extra lane, as they get on and that makes a roadway safer, it also increases capacity because we are pushing more cars through a bigger section.

Lastly, we looked at a Four-Lane Divided and that means we add a median. A median that you

would see on an interstate, not that big, but a median all the same, with just grass and a gentle slope between the two lanes. This helps with safety. It helps avoid the frequency of head on collisions. One thing I want to mention is common to all these alternatives, where warranted, we have also put in additional turn lanes. If there is heavy left-turn movements, we put in left-turn lanes on some of the, or access at key locations and that's common to all of the alternatives.

I want to quickly go through the order of magnitude, cost and Joe is going to go through the evaluation of how we looked at these. Now, I also wanted to mention that a lot of locations in here we take a look at the environmental impacts to reduce those impacts as much as we can, so if there is wetlands out there, sometimes our alignment has to shift. Okay. And that's where you'll see the differences in some of these numbers that Joe is going to go through.

The Improved Two-Lane was costed out essentially at about \$70 million dollars. That's a full project, that all of the Right-of-ways, the construction and the design. The Improve Two-Lane with Passing is about \$74 million. The Undivided

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is $95 million, and Four-Lane Divided is $107 million.
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Okay. So with that, Joe, if you want to go through the impact analysis and then we are going to step in and take a quick look at specifics in the Havre area.

MR. HART: We had a handout on the front desk, which is a copy of this entire matrix. If you have one of these, this is my guide for this portion of the presentation. Just one more thing I wanted to mention, if you please sign in, that way we will have the correct spelling, if you speak during the comment period for the public record. There is a sign-in sheet up front.

So what you see here is a summation of all the benefits and impacts that we went through in our evaluation. The copy of the Draft Environmental Impact Statement is back on the table there. It's a big thick document. What we try to do here is in very few words, summarize the main topics by alternatives. So across the top, we have a No-Build Alternative, which is doing nothing to the highway, and then we compare each of the alternatives to that and to one another. So this column is the Improved Two-Lane, then the

Improved Two-Lane with Passing Lanes, Four-Lane Undivided and Four-Lane Divided. And then we've categorized by our evaluation measures. And this is covered in the chapters and subchapters of the Environmental Impact Statement. First, under Transportation, and these are Safety and then Economic/Social Conditions and then Environmental topics is the last. I think those are separate sheets in the handout.

Then we have color coded these for, the red being adverse impacts, yellow being neutral or somewhere in between, and green being positive or benefits that are resulting from the improvements.

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I'll just quickly go down some of the topics under Transportation where the accident rate is. How the improvement affected accidents, predicted accidents. Shoulders and Clear Zones: So if a car leaves the travel lane and cannot recover without turning over in the steep ditches that occur today. Provision for turn lanes; the offset to the railroad that Steve talked about, how much distance there is for storing vehicles between the railroad and the highway. Safe passing: The opportunity to pass without colliding with an oncoming car. Accommodations

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for pedestrians and bicyclists and accommodations
                      Those were all under
   for school buses.
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   transportation safety.
            Traffic operations uses Level of Service,
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   like grades and school, ABCDEF, and how it
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   operates, was one of our criteria. Auxiliary
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   Lanes for turn lanes and passing opportunities,
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   also from how the highway operates. And then, I'll
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   let Deb go through the Environmental and
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   Social/Economic.
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            As you can see by the color coding, doing
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   nothing to the highway is not a good thing, an
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   adverse impact, the highway would continue to
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   operate in its poor condition, so therefore the
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         Then the more improvements you do, neutral
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   red.
   you see the yellow and then the wider, the more
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   lanes definitely there are better operations and
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   improved safety. So you see, the transition from
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   red to green. And then you will see just the
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   opposite, the more you build the more impacts you
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          There are far more red on the right-hand
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   have.
   side where there is more lanes and more
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   Right-of-ways and more wetlands and all of those
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And maybe with that, I'll let Deb go

things are impacted.

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ahead and then we can talk in more detail on those later.

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MS. PERKINS-SMITH: The factors that we have for economic -- I should mention in the E.I.S. this is more detailed. What we did tonight is bring out the ones that are of most interest to you or show the greatest difference in terms of alternatives. We will talk about Senate Bill 3, funding and then costs. Both, as Steve had talked about project costs, there is also called Benefit-Cost Ratio. We will talk about that and Economic Community Impacts. For instance, how am I effecting the community in terms of my Access, Right-of-way impacts, my property impacts, relocation impacts, is my house impacted, is my business impacted, that sort of thing; farmlands; our Property Tax Revenue, what happens when this Right-of-way is taken out of private ownership. There is certain property revenue tax, and then the potential for economic growth.

The Environmental Impact is pretty standard: Wetlands, Wildlife, Cultural and Historical Resources, which there are a number in this corridor, Milk River Floodplain, Hazardous Material in the corridor that would be of concern.

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So those are the main ones in terms of
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   environmental issues. So, do you want to go
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   through the differences, Joe?
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            MR. HART: The Improved Two-Lane, we
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   anticipate one of the biggest benefits of the
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   Improved Two-Lane is the improved shoulders and
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   clear zone. That's common to all of the
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   alternatives. So the accident rate benefit of the
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   Improved Two-Lane is probably the biggest increase
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   over what's there today because the pavement would
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   be rebuilt, and the side slopes of the grass
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   slopes down to the ditches, so it would be very
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          So, if you were a car that had left the
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   pavement, fell asleep driver as an example, there
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   is a much better opportunity for recovery without
   the car turning over, which is a common occurrence
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   as the way the highway is today. So that accident
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   rate prediction is one of the biggest benefits.
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   Then, with each of the alternatives the number of
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   passing opportunities continues to increase the
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   safety of the highway. But the shoulders would be
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   the same under each of those. Those would be the
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   safe shoulder common to the Montana Department of
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   Transportation Design Standards.
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             Provisions for turn lanes: With some of
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   the two-lane alternatives there would be not as
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   many turn lanes as with the Four-Lane Divided.
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   With the Four-Lane Divided the median would
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   prohibit some turns, so there would need to be
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   accommodations for -- you might be able to make a
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   right turn out of the driveway, but there would
 7
   not be as many left turns, dangerous maneuvers
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   crossing the multiple lanes of highway traffic,
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   again with the four-lane.
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             The bigger offset from the railroad, as
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   you can see the offset is increased with each of
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   the alternatives with the best impact,
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   particularly through Chinook, would occur with the
   Four-Lane Divided. Passing opportunities, the
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   Two-Lane with Passing Lanes would be a benefit,
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   but then with the four-lane alternatives there
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   would be passing opportunities at all times for
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   pedestrians and bicyclists. All of the
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   alternatives are going to have an improved
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   shoulder so the shoulder accommodations would be
   similar for all of the alternatives. So we showed
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   that as a benefit on all.
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School buses: Same thing, wider shoulder would allow for greater sight distance and operations for school buses. We've shown the

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traffic operations -- actually, when we go through
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   the calculations with the small amount of traffic
   that exists today, we show that as a positive.
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   It's fine for all of the alternatives. Now, there
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   is a different type of operations, there is
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   passing operations, which we assess separately
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   here, but through all of the alternatives
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   generally you drive the highway at 70 miles an
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   hour, that is not predicted to be a significant
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   difference between the alternatives. We assess
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   auxiliary lanes and passing opportunities again
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   under operations. Again, the two-lane has
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   opportunities for passing just where there are,
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   but then with the passing lanes and the four-lane
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   you would be able to pass at any time. So with
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   that, I'll let you go through the rest, Deb.
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            MS. PERKINS-SMITH: The first thing that
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   I mentioned under Economic and Social Conditions
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   was Senate Bill 3. I assume most of you are
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   familiar with Senate Bill 3. It directs the
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   transportation commission, actually directs the
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   Department of Transportation to construct a
   four-lane highway along US 2. But it also talks
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   about funding, and it says in terms of funding
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   that funding sources such that it can't require a
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state match. And also, you cannot take Federal funds that were intended for another highway and put them to this project. So basically, it requires what we call a set aside, Federal set aside is speciality funding for this project, but we wanted to look at each of the alternatives and make sure they were compliant with Senate Bill 3.

In terms of No-Build, it actually is in compliance with Senate Bill 3. If you were unable to obtain the special Federal funds, and that is also for the Improved Two-Lane and Two-Lane with Passing, if you can not obtain Federal funding then you are in compliance with Senate Bill 3.

Now, on the Four-Lane Divided and the Four-Lane Undivided, if you are able to obtain that Federal funding then you're in compliance, if you build that four-lane highway. Now, I know funding is probably a big issue and it relates again, as I said, back to Senate Bill 3. I know there will probably be some questions on that. I would ask that you hold your questions until after the presentation and then we can probably have a more lengthy discussion in terms of the funding.

As I said earlier, there are no committed funds for this project. So that is true for all

the alternatives. There are no committed funds at 1 this time. Now, how easy is it to get the funds? 2 There's reasonable certainty that you could get 3 funds for either of the two-lane alternatives and 4 that's because if you go through the regular state 5 process you would be eligible for state funds. 6 The funding is a little less certain for the 7 four-lane alternatives because you have to get the 8 special set aside from Congress. So, there is 9 kind of a value judgment there in terms of, you 10 know, is it easy to get this funding or not and 11 this is something that certainly could be subject 12 to match, depending upon what happens with Federal 13 legislation. 14

So, Steve had talked about costs. There is something called a Benefit-Cost Ratio, that is you take a look at the benefits associated with building or providing this infrastructure versus how much did it cost to actually build it. And usually you want to have a break even, that the cost is going to be, or the benefit is going to be the same as the cost or greater than the cost. In our case, none of the alternatives have a Benefit-Cost Ratio of one or greater, which is actually what you want to try to get. However,

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the costs exceeds the benefits by approximately 1.9 to 1 for the two-lane alternative, and it's pretty similar with the Two-Lane with Passing. your net benefit is not as bad, I think that's the way to put, for the two-lane. The net benefit is worse for the four-lane alternatives. Again, it goes back to what Steve said in terms of the cost, the cost is much greater for that four-lane alternatives. I should mention that each of these are a criteria that we look at to evaluate and this is pretty typical for all environmental There is not one particular thing processes. based on that criteria that's the decision. just want you to be aware that is just one item that we look at throughout the entire evaluation. Now, here's the Economic and Community Impacts. I know they are probably a greater concern for people that live along US 2. Something you should be aware of, in terms of access, there would be some driveway consolation for safety reasons along the highway. On the Improved Two-Lane and on the Two-Lane with Passing, those areas where you had the passing lane, this is correct that you would not be allowed to have an access in that location for

safety reasons. So you would be a little more constrained if you had an access in the location that was a passing zone. We either could not put a passing zone in that location or we would have to relocate your access.

Then, in terms of the four-lane, the Four-Lane Undivided is the same as the two-lane alternatives because with that additional lane, you could have access at any location. Now, with the Four-Lane Divided, think about that, it's got a median down the middle. What that means is that there would only be certain places in which you would have a break in that median. Again, if you lived in a place along the corridor and there was not a break in the median, you may have to have your access relocated. So that's an impact if you live in that area.

Right-of-way: Right-of-way is pretty important especially if you're a property owner along there. In the two-lane alternatives, you're at 250 to 300 acres, would be required, whereas the four-lane alternative range from 340 to 440 acres. So there is a difference there.

Relocations: We've got two definitions for relocations and what a relocation is, my

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building is required in order to construct this.
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   Is my house, is my business within the
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   Right-of-way, the constructions limits. Okay.
   That's one way to measure relocations. Another
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   way to measure them, is my house or building
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   actually outside the construction limit, but
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   within the Right-of-way limit that MDT is going to
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   require? So let's just talk about if you're
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   within the construction limits. For two-lanes
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   alternative there are about 11 buildings,
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   structures, that are within the construction
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   limits that would need to be acquired or
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   relocated, and the four-lane alternatives it
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   doubles that. For the Four-Lane Undivided, there
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   are 22. When you get to the Four-Lane Divided
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   it's actually four times as high, it's 45
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   structures.
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             Business Impacts: Most of those are
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   within Chinook, and again as you can see with the
   two-lane alternatives, you're actually staying
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   within the Right-of-way. So the impacts aren't
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   has great in Chinook. When you go to the
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   four-lane alternative in Chinook there are 8
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   commercial structures that are needed to be
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   relocated and 17 jobs lost. That would be the
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Four-Lane Undivided. The Four-Lane Divided there are actually 15 displacements and could be up to 97 jobs lost. We have actually had a series of meetings with property owners and businesses right along US 2, so these numbers actually came from the business owners and they actually identified whether or not they could relocate on another site or whatever.

Wetlands: Again, it increases with additional Right-of-way that's required for the four-lane.

In terms of Property Tax Revenue, again you can see it gets greater in terms of the more lands that you take out of private ownership and put it into public ownership, you have lost the revenue on those properties.

Economic Growth: Economic growth is assumed for the entire corridor. However, the increase between a two-lane and a four-lane is not great. There is some small economic benefit associated with tourism and retail sectors.

Environmental: In terms of
Environmental, earlier I had mentioned about
wetlands and the Army Corp of Engineers is
concerned about wetlands and impact on wetlands

with fill and dredge material. Again, with the two-lane alternatives, it's approximately 6 acres that you're looking at. When you get to the four-lane, it increases to 8 and 10 acres. So there is an increase and the Corp would be concerned about that.

Wildlife: They are minimal because this is an established corridor. They are not in a new location.

Cultural and Historic Resources: There are three National Registrar of Historic Places eligible sites. If you are eligible to be listed on the National Registrar, we consider those.

There are two bridges and one farmstead that would be impacted under the two-lane alternative. Under the four-lane, that increases. There are actually two commercial buildings in Chinook that would be impacted, in the Four-Lane Undivided. Three, you understand an additional three under the Four-Lane Divided.

HAZMAT: That's another concern, especially for people in Chinook. There are some abandoned underground storage tanks in Lohman, Chinook, and Harlem that people are concerned about. And as I said previously, in Chinook, the

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two-lane alternative is pretty much in the
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   Right-of-way, so there is some concerns there, but
   it's not to great. Gosh, what if it's leaking
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   under the Right-of-way, when you start a
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   four-lane, you actually have to acquire the
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   Right-of-way where the tank actually is. There is
   a much greater concern, and that's mostly due to
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   the Chinook area, where there are actually 11
 9
   underground storage tanks that they are concerned
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   with, in that location, in terms of environmental.
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            I think that's what we have overall.
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   Because we are in Havre tonight, Steve would
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   actually like to go through and talk about a
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   little bit about the specifics in Havre. And then
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   I'll share with you information in terms of the
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   preferred alternatives for both MDT and FHWA and
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   clarification. Can we hold questions until the
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   end.
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            MR. COOPER: Hal Cooper from Washington.
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   What is the capacity, in terms of vehicles for
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   each of those alternatives?
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            MS. PERKINS-SMITH: Joe is going to be
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   looking that up so we have the specifics, but we
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   actually did a calculation for level of service
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   analysis.
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MS. PERKINS-SMITH: Gabe, I should mention that if, especially if you property owners, commercial property owners we hope you got -- we contacted you to see if you actually wanted to meet one-on-one and look at some of these plans and how it might impact you directly. So if you would like to sit down individually, just make sure you let Steve know and we will make sure that we do that while we are here this week.

AUDIENCE MEMBER: Could you speak up more, please?

MR. LONG: As we go into the Havre area, it serves a very important function with respect to roadway decisions, what we call a transition area, that does a couple of different things.

First off, it's what the driver expects to see as they enter into an organized area. It matches their behavior of how they are driving. Coming into Havre today, it's really very well developed and has a transition area, starting with lower density and the buildings start becoming more and more frequent and the slope starts narrowing. We intend to kind of keep that the same way as it is today. Obviously, we want to extend the existing cross-section the existing

lanes that we have and transition into all these alternatives.

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So the first alternative that we have works with both of our two-lane alternative, both Improved Two-Lane and our Two-Lane with Passing. It's the same. It's the design that we have here. Basically, we are building everything to the south as much as we can. Okay. And we are providing two lanes in each direction and the center turn just like you see out there today. Okay. get to 31st Avenue, we drop one of those lanes and we begin dropping the curb and gutter and we have one lane in each direction with the center turn So basically what we end up with is we are trying to get to a single lane in each direction and we start narrowing those lanes as we are coming out of Havre. Okay.

The Four-Lane Undivided is exactly the same as the Four-Lane Divided all the way until we transition to our alternative, either we've got to go wider for the undivided -- I mean for the divided, and we just kind of keep a narrower swath for the undivided. So basically, these are the same except for how we want to tie into our alternatives. Does that make sense? Okay. This

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has two lanes in each direction and it's more consistent rather than tapering down to a single In this area, we just keep two lanes in each direction and that center turn lane. other feature that we have is pedestrian movement through this area, and we heard that it would be nice to have some kind of sidewalk and/or a pedestrian path. What we have chosen is a pedestrian path through here, kind of a multi-use path and we are talking a ten-foot-wide path that would service some of the residents that are further out and some of the businesses. That is what this blue line is. Just picture that just kind of at the slope. And you could meander in and out and we bring that all the way out to 38th Avenue, which is that animal hospital out there.

Okay. So that's pretty much the differences in the alternatives and they are very subtle differences in this area for this transition, but we did make sure that we were conscientious that we wanted this to make, to work as a transition area and we wanted speeds to get lowered as people get into town.

MS. PERKINS-SMITH: We should mention at this level of design, we have not notified any

relocations. Meaning that there are no structures that need to be relocated or acquired in this part of Havre.

Now, I want to caveat that with, that could change with final design once you actually get it down to the details. Right now at this point, it doesn't look like there is any business impacted in terms of acquisition through that area, which is a good thing.

With that, let's talk about, and you may already know this from either press releases or reading the E.I.S., but the Montana Department of Transportation and FWHA have at this time, have a proposed preferred alternative. It's preliminary, this will not be final until after all the comments are in. So at this time, based on taking a look at all this analysis, MDT came up with a preferred alternative, put a four-lane highway in, and that preference was based on Senate Bill 3. They do not have a preference or did not yet identify a preference in terms of whether that is divided or undivided. They just have a preference for a four-lane highway.

FHWA took a look at this information and said, gee, our recommendation, our preferred, is

an Improved Two-Lane with Passing Lanes. And the reasoning for their preference was that they felt that the Two-Lane with Passing Lanes improved the highway, improved the safety, improved highway efficiency, pretty much as well as the four-lane alternatives, but had fewer impacts. That was the trade-off. Also, the funding was more likely, or more certain. In that, they could go through MDT's regular funding process. And that's where in the rural corridor in Chinook they did not give a preference. There were a lot of issues in Chinook, so they didn't have a preference in Chinook.

Now, where do we go from here? Once all the comments are in, again MDT and FWHA will take a look at those and they may revise their recommendation. They will come out with one single recommendation. FWHA has the final decision on a Federal highway project. I should also mention that throughout this entire corridor, you could have different solutions for different parts of the corridor. You could do something different in Chinook than you do out at Harlem, so it could be a mix and match of some of these things that we have been talking about tonight.

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We would also like to get some feedback from you
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    in terms of comments, what you think about what
   you have heard tonight and these alternatives.
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             MR. JOHNSON: I have one more comment.
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   First of all, currently the Federal Highway Bill
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   has not been passed.
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   appropriations every month. Congress passes an
   appropriation giving us another month's worth of
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   authority and we have from Montana some senators,
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   representative here tonight that I forgot to
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   recognize. Senator Baucus is represented here by
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   Bonnie Keller. I will point that out because
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   Senator Baucus and Rainingbird are both
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   represented on the conference committee in the
   Congress back there, they're very important to us.
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   And excuse me for my fauxpas.
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            MS. PERKINS-SMITH: With that, we would
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   like to open it up to the question and answer
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   period and the comment period. A few little
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   ground rules; we have the room until 8:00. If you
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   got some extended comments, we can meet with you
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   one-on-one to do that. Stacy is here too.
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   help her out, we would like you, first, to mention
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   your name. State your name and then your comment.
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   And I think so that we can allow everyone to
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Havre Public Hearing Comment Summary

No. Individual Comment Response

 Senator Sam Kitzenberg

[1] State Senator Sam Kitzenberg, from now District 18, which includes six counties instead of three. And in Montana I am part of the reason you're here tonight. I introduced Senate Bill 3. I ordered a Volkswagen and I got a Cadillac. One of the reasons I introduced Senate Bill 3 was economic development and safety. One of the problems we were having in the Hi-Line was we were dying and I wanted us to survive. And how I came across this is some of my constituents in Scobey. Montana, wanted to do, wanted me create an economic plan and the study came back you don't have the infrastructure. So we wanted some economic development. We never asked for a two-lane highway. We never asked for a passing lane. We never asked for most of what we got. And there's some serious flaws in this study and some of the things that we wanted we never got. For example, we wanted a study that included the entire length of Highway 2, and that makes a big difference as far as cost effectiveness. We wanted the big vision and we didn't get it. We did not want -- we wanted to have economic development and the problem with this whole plan is that industry does not locate on two-lane highways and we are having some economic problems on the Hi-Line. There is a big hole that is being created and we wanted to survive. And I called the highway department and they said you can't, you don't have the traffic, go ahead and die. I want to live. I introduced Senate Bill 3. It's been three years and what's been done, here's the bad news, nothing.

We've stopped a bunch of highway projects and we only got a new bridge by default, and it brings a tear to my eye almost because it's underbuilt for a four-lane highway. So wow. I want to share my big vision with you and I want to suggest that there's a big hole growing that we need balanced transportation in Montana, like they have in North Dakota and we are not going to get it. We are not going to get economic development and we are going to get very little safety. I want to pass that out. And then I want to turn to Brad Bekkedahl's comments from what they have done in North Dakota.

There's some good news and I brought my shovel with me, hoping maybe we could start a highway. The good news is they have started the four-lane highway and they are going to complete it in North Dakota. The bad news is that we are going to get nothing and we are all going to die. Basically, all of schools are going to close, our hospitals are going to close, our businesses are going to close. So farewell.

What I want to share with you are two things that really need attention and I want to completely read what Brad wrote and I just say amen and one of the things that he talks about in here, is the economic part of this, and I want to go over this with you. He talks about how it does make a difference if you have a four-lane highway versus a two-lane highway. And he compares what happened to Williston and Dickinson when the interstate was developed on the southern route. But I want to share this with you because this came up, in terms of computer analysis program by Montana DOT to show cost effectiveness of specific highways.

Let me submit again, using common sense, that at current cost of construction there are probably no highway projects in the State of Montana that would pay for their investment. I know of none in North Dakota that show enough return for construction. We simply deal with too much space and too few people and that's the reality that we have to deal with.

[Introduction to Question and Answer Period by Debra Perkins-Smith]

PERKINS-SMITH: With that, we would like to open it up to the question and answer period and the comment period. A few little ground rules; we have the room until 8:00. If you got some extended comments, we can meet with you one-on-one to do that. Stacy is here too. To help her out, we would like you, first, to mention your name. State your name and then your comment. And I think so that we can allow everyone to comment, we will actually have a limit in terms of five minutes so that everyone can comment that would like to comment. If you have a more extensive comment, you can actually do one of several things: You can come over to Stacy later and actually give your comment directly to be transcribed; you can put it in writing to us, or you can talk to us one-on-one you can also set up a separate meeting too if there is some extensive issues.

With that, I think if we do not know the answer or if it's more than a clarification, we will take that comment down and then actually have our experts or people with special expertise can address that comment later. With that, I'll open it to comments.

Please state your name clearly for Stacy and the rest of the group.

[1] PERKINS-SMITH: Can I ask you to wrap it up in two minutes?

[2] For the record, I'd like to say that Senator Kitzenberg had actually submitted two handouts that will be transcribed into the record.

ADDITIONAL: At the end of this Havre Comment Summary are three handouts submitted by Senator Kitzenberg:

- 1. Glasgow article: "If they can do it, we can do it" (May 27, 2004) as part of "Completing the Corridor"
- 2. Letter from Brad Bekkadahl to Senator Kitzenberg (July 10, 2004)
- 3. An open letter to the Hi-Line by Senator Kitzenberg (2004)

Please also see response to written DEIS comments 16 - Cooper/Highway 2 Association and 46 - Bob Sivertsen, located in the "DEIS Comments" section of this appendix.

No. Individual Comment Response

The other thing I want to share with you is I would like to know what the cost effectiveness is of Highway 93 that goes from Kalispell to Missoula, at about 2 million or 3 million dollars a mile. Tell me that's cost effective? Okay. It isn't. And I would like to know from the Highway Department what that is?

We talked about funding. Boy, you struck a nerve when you talked about funding. I hate to do this, but Governor Martz promised that we were going, we the Highway 2 Association, myself, Bob Sivertsen, were going to go back to Washington, DC, and she was going to help secure credible funding for us. She reneged on her promise. She didn't remember it. It didn't happen. So that's another problem with the Martz Administration. I wrote to her and didn't even get an answer, didn't get a comment. So I call on the Governor tonight. Let's make that trip. Let's go back and put funding in the Federal Highway Bill to build this section between Fort Belknap and Havre. That's how we had planned the funding. We were trying to be kind to other highway projects in the State of Montana. I relied upon Dave Galt and Jim Curry to provide their expertise in the language in Senate Bill 3 and I was betrayed. They wrote the language. I trusted them and they wrote the language that sort of strangled the whole project. So I was betrayed and the people of the Hi-Line are being betrayed.

Please read Brad's comments. Like I said, there is some good news. North Dakota with the leadership of Governor John Hoeven, it was to their dedication and they turned 20 years of study, they cut is down to 8 years and they are going to finish their four-lane highway, not their two-lane highway, because they want economic development in North Dakota and they want a balanced highway between the two. They are going to finish their highway across the state by 2009.

What was so exciting is they want to continue into Montana. Governor Hoeven said to me, if you guys will just start your four-lane highway, I'll finish the four-lane from Williston to the state line. An editorial in the Bismarck Tribune stated if the Hi-Line isn't interested in doing this, let's just take it south to Billings. What's going to happen on the southern, there's going to get to be too much traffic, lives are going to be lost and the northern part of the Montana is going to die, and this affects basically about a fourth of Montana. I mean I get emotional about this because we are programmed to die and we want it to die.

[2] I knew this would happen. You can't comment on a project this big in five minutes. Let me just close by saying this study is flawed. And the sad news is that it has big ramifications and I would suggestion that the cost of leaving a big hole like this in the State of Montana, the cost of not proceedings is going to be much much greater than what could have been. And Mr. Cooper is here to tell us what could have been is going to be much much greater than the cost of this highway.

2 Bob Sivertsen -Highway 2 Association [1] My name is Bob Sivertsen. I'm the President of the Highway 2 Association and have been a CAC member ever since this thing got started and I just want to say, this is what we take issue with is, right here. Providing an efficient highway to support economic development.

Now, how many of you folks here tonight think that a two-lane highway would get the job done? I haven't talked to anybody, except the MDOT and a few others, that think that. We need to address this, and that should be a big part of the E.I.S. The E.I.S. is flawed and incomplete. It should not be a part of this E.I.S. What you have seen here is a 2.7 or 2.8 million dollar presentation for an improved two-lane highway. That does nothing for economic development and if you think it does, I would like to hear from you.

So what we are proposing is, first of all, I got to do this. David Evans and Associates, I have no quarrel with them. These people have worked hard. I like them. They are good people. Karl Helvik at MDOT has been very cooperative. He's the project manager and has helped me every time I wanted information. Mick Johnson has been right at the forefront, when I needed something, he was there. I have trouble with the director of DOT and the Martz Administration. Let's not beat around the bush here, we have been shanghaied by these folks and I don't know what took place between David Evans and the director of DOT, but when I made the statement early on this economic report by ICF was flawed and would be incomplete, and having an opportunity to sit down with Jeff Ang-Olson and after one of the meetings for which I was chastised by another CAC member for being to harsh on ICF, I sat down with Jeff after the meeting. I said Jeff, I'm not hassling you, but I have harped on this one issue, that unless you are willing to analyze the economic impact of four laning in the corridor, it's not going to do us any good in this little study area to think that we can take and somehow have a viable four-lane highway that's going to create economic development. He said I can't disagree with you, Bob, but he said it wasn't in our role scope.

I talked to David Evans and Associates after that, they said I can't disagree with you, but it wasn't in our role scope. So I got the contract from DOT, read it, that they signed with DEA, there was no mention of this doing that analysis. So I wrote a letter and I said, addressed this to ICF, DEA and DOT, surely there must have been some other memorandums. I have never heard a word about that since. So that's something for you to keep in mind, is what we are proposing folks, is that we need to take a look at the impact of four laning in the corridor. Then, we also need to take a look at our long-term goal, of which is creating an economic corridor from Minnesota to Seattle. This place will come to life.

4 for 2 is important for Home Land Security. We traverse one of the largest borders in the continental U.S. Home Land Security has been getting a lot of attention and a lot of money spent on it. We need a decent transportation system here on the Hi-Line. And so we are working on that, and the important thing to remember is that when they talk about the benefit cost analysis, sure you can come up with these figures if you only take a very narrow scope here and look at the 45 miles area. Anybody could have told you that. You could come up with that, but for 2.7 or 2.8 million dollars that's not what we need. We need an accurate feeling and assessment of our resources that we have in this corridor, of which we have vast resources, and then we need to take a look at the economic opportunities that could be afforded.

Now, I have a lot more to say, but I want you to meet Hal Cooper, whom we commissioned to do the Cooper Report. That took a completely different look in analysis of this whole thing. Hal Cooper is of Cooper Consulting out of Kirkland, Washington.

[1] ADDITIONAL: See response to DEIS Comments 46 - Bob Sivertsen, Highway 2 Association.

Response

This comment is similar to Chinook Public Hearing Comment 11 - Bob Sivertsen, Highway 2 Association; Harlem Public Hearing Comment 10 - Bob Sivertsen, Highway 2 Association; Fort Belknap Public Hearing Comment 5 - Bob Sivertsen, Highway 2 Association

3 Hal Cooper -Highway 2 Association Consultant [1] My name is Hal Cooper. For the record, I'm from Kirkland, Washington, and I'm a consultant to the Highway 2 Association, as Bob's very kind introduction and also some of the kind comments that I have received from the newspapers.

First of all, I want to make a correction in my report. One person pointed out on Pages 19 and 21, Pages 2 and 3, the Indian reservations are not correctly listed. The Blackfeet Reservation has Blackfeet Indians. The Rocky Boys Reservation has Chippewa Cree. Fort Belknap Reservation has Assiniboine and Gros Ventre and the Fort Peck has Assiniboine and Sioux. And so when I revise the report, we will get that corrected. I have wanted to note this correction for the record.

I propose an economic development plan for the corridor that's based on energy and industrial enhancement and it's proposal for energy development is based on new coal power plants. It is based on associated electric transmission expansion of the railroad corridor, as well as the highway. It will lead to a Northern tier energy development strategy, which includes Alberta, Saskatchewan, Montana, North Dakota, South Dakota and Wyoming, and it's to enhance the energy independence of the United States.

Now, I listed some specific problems in the Draft Environmental Impact Statement. The traffic growth rate is too low for a strategy of energy and industry developing because it's basically assuming a continuation of our present policy. The truck operating cost savings are not correct. They need to be changed. There's not enough specific demographic information on employment and population trends, and I went through that in considerable detail and how it would affect traffic.

There is no real economic development scenario proposed, except for a continuation of the status quo and especially lacking is energy and industrial development and especially energy development. There is a critical deficiency that we do not show the potentially severe and economic and social impact to the result to the Indian reservation and if the highway was not built because it's going to constrain economic development if we don't have four lanes available. And the study only analyzed 45 miles instead of 666 miles. And I want to point out North Dakota expanded its Highway 2 corridor, so it could foster energy development. Montana needs to do the same thing.

Now, final points to make, the roadway expansion of the Highway 2 corridor itself is not going to promote economic development if that's all we do, and without expanding the Highway 2 corridor from two to four lanes, it's not going to properly achieve the economic development, especially as it affects the Indian reservation. And if the highway's expanded it would be a benefit to the entire corridor. If it's not expanded it's going to be detrimental, and I go into considerable discussion about the employment and unemployment situation on the reservation.

Expansion of this corridor is essential for future industrial energy development. Especially along with the Northern tier, along with railroad and electric transmission and my so called Northern strategy for energy development is certainly one that is currently, in terms of energy self-sufficiency, working closely with Canada, Alaska and Russia. I'm right now going on building a railroad between Alaska and British Columbia and the Northern tier. If we decide we are going to go ahead with the expansion and we should, I think whoever the new governor is needs to call a meeting of Governor Hoeven in North Dakota, Premier Cowen in Saskatchewan and Premier Cline in Alberta, so we can begin this program along with building a highway. I thank you.

[1] PERKINS-SMITH: Any other comments? Sir?

ADDITIONAL: See response to DEIS Comments 16 - Cooper/Highway 2 Association

No.	Individual	Comment	Response
4	William Rader	[1] Gentlemen, my name is William Rader. I live in Havre, Montana, and this is just a comment of comparisons. Several years ago in Boston there was a project called the Big Dig. It was \$14.6 billion. They have in it 17.3 now. It's a \$1.6 billion to do this 600 and some odd miles across Montana. I would like to have you, the two senators, they got kind of this project and they would build 57 lanes of traffic across Montana, only 57.	ADDITIONAL: Thank you for your comments.
			[1] PERKINS-SMITH: Any other questions or comments?
5	Herb Vasseur/ Hal Cooper/ Bob Hellinger	[1] Herb Vasseur, Chinook. A while back on the report, the Feds was in favor of two lanes with a passing lane. Are they willing to put three lanes from Havre to Harlem because that's what it would end up to be. We need a passing lane all the way.	[1] ADDITIONAL: Thank you for your comments.
			[2] HART: I don't have them with me here tonight. I've got the traffic and cost numbers. I'll get those.
		[2] COOPER: Do we have those capacity numbers?	[3] HART: I don't want to state it incorrectly, the existing traffic volumes are about 2,500 cars a day. We are anticipating the forecast up to about 4,000 cars a day over the planning period by year 2027. So it's about a 30 to 60 percent increase in traffic is what is forecast in the study. And those are well within the capacity of a two-lane highway. But I don't want to misstate that for the record exact numbers.
		[3] COOPER: Send it to Bob (Sivertsen) when you get it completed.	
		[4] I was wondering Bob Hellinger from Shelby. I was wondering if that is taking into consideration as we dry up along here the whole area, or is that looking for development?	
			[4] HART: That is anticipating that there would be development activity. Development would be the reason that there would be a 30 to 60 percent increase in traffic. It's not going to be just traffic cutting through this area. So the economic study did anticipate development to continue to occur. In fact, at a much higher growth than what had been occurring in the last few years. There has actually been a negative growth in traffic, as well as in population but we are anticipating in a positive way that there would be alternatives for development, economic development that would turn that around for a growth of about one to two percent per year over the 25, 27 year planning up to the year 2027.
			ADDITIONAL: As documented in the Project Description section of Chapter 1 of the EIS, existing average annual daily traffic (AADT) volumes in 2002 were 2,890 between Havre and Chinook and 2,330 between Chinook and Fort Belknap, resulting in an average of 2,610 for the corridor. The average annual projected growth rate through the design year 2027 west of Chinook is 1.0 percent per year, resulting in an AADT of 3,700. The average annual projected growth

rate through the design year 2027 east of Chinook is 2.0 percent per year, resulting in an AADT of 3,820. Averaged for the corridor, these rates and volumes equal a 1.5 percent annual growth rate for the corridor and an AADT of 3,760 for the corridor. This is a 46 percent increase in traffic volumes over the 25-year period between 2002 and

2027.

- 6 Senator Sam Kitzenberg
- [1] Sam Kitzenberg, Senator from Glasgow. Who asked for all the frills? And I'm wondering if the process wasn't flawed. The reason I say that, I was at the meeting in Chinook and the suggestion was made, divide yourself in five groups and come up with an interesting thing that should happen. Originally, we asked for just a four-lane highway on the existing road going through communities and all of a sudden we are in five groups and it was suggested, one of you come up to buy out all the existing businesses, another group come up with beautifying everything, and another on moving the railroad, which would never happen.

So pretty soon we got something we can't afford, and we never asked for that. Who's guilty of adding the fluff and all the extras?

- [2] Fluff to me is buying out existing businesses.
- [3] Originally, all we asked for was a four-lane going into the community, narrowed down. We didn't ask for an interstate. We never said we wanted to bypass any community, and we have said that time and time again. We wanted to enhance the community by coming up to the community, just like it is now, taking the existing road. All of a sudden, let's move all the businesses, let's move the railroad. And pretty soon we got something we can't afford.
- [1] My name is Dennis Morgan. I'm from Havre. I was recently appointed the Hill County representative on the Highway 2 Association. I had attended a lot of the preliminary meetings over the last two years. At the initial meetings I feel, I don't want to use the word deceived, but I think we were misled. An E.I.S. generally is an economic impact -- an Environmental Impact Statement. This was new, I think to the state, in that we wanted to also include an Economic Impact Statement as a project for 45 miles. I can certainly understand an Environmental Impact Statement being considered for a 45 mile segment or project. However, an E.I.S., Economic Impact Statement that does not include the entire corridor from Idaho to North Dakota is totally flawed in any economic analysis for just a 45 miles section of highway. That is why I think we have been misled. And possibly you as consultants have been misled by the same people that have been mentioned that lead our highway department and our government. I also have to -- I want to make sure on Sam's comment, your economic impact to Chinook of losing jobs and businesses, this four-lane, like Sam saying, Undivided Four-Lane does not have to tear all the way through Chinook. It can neck down. We see that highway -- people here, that 93 coming into Kalispell, you got a Four-Lane Undivided and it's going to neck down even though they are improving it to a Four-Lane Divided. It's going to neck down to two lanes at the courthouse in Kalispell. So I think that thing, when you mention some of the negative impacts on a four-lane of losing jobs and losing businesses and losing tax base, is not fair.
- [2] But I don't think it shows up on that particular graph.
- [3] But you will make that clear.

- [1] PERKINS-SMITH: Could you clarify for me what you consider a frill and fluff?
- [2] PERKINS-SMITH: If the roadway goes over them?
- [3] PERKINS-SMITH: Just to clarify, moving the railroad is not an alternative. It was screened out due to economic costs.

ADDITIONAL: 23 CFR 771, Environmental Impact and Related Procedures, sets forth requirements for FHWA for implementing the National Environmental Policy Act of 1969 as amended. These regulations require that all reasonable alternatives be evaluated.

- [1] PERKINS-SMITH: Thank you. One, thing I would like to clarify, if you receive Federal funding for a project, you are required to go through the NEPA process, that National Environmental Policy Act, and that's a requirement in order to get funding as part of that. There is something called SEE. We are required to do social, environmental and economics. So we are required by their guidance to look at all of those in order for you to go to the next step to actually get funding and build any infrastructure. Just so you know they are not two separate studies. That that's actually a requirement.
- LONG: We do have an alternative that does narrow down and uses the existing curb lines in Chinook.
- [2] PERKINS-SMITH: You know, we don't have a graphic up here, but tomorrow night in Chinook, we may be showing a graphic. In Chinook, what we are now calling the -- what we now call the Improved Two-Lane in Chinook. That Improved Two-Lane is within the existing curb and gutter. It's within the existing Right-of-way and what it includes. So it's just an Improved Two-Lane and in some places --
- [3] PERKINS-SMITH: Yes, in Chinook. And then the second one with two lanes with a passing lane in Chinook there is one where there is two lanes in each direction, is a center turn lane and that does not require relocation in Chinook. That's a valid comment. People wanted us to look at those because of those concerns. So that's a very good comment. Other comments?

ADDITIONAL: Please note that another study - The Montana Highway Reconfiguration Study - did conduct a border-to-border analysis of US 2 using the Highway Economic Analysis Tool (HEAT) to examine the economic impacts of widening US 2 across the state. The findings of that study were similar to the findings in the US 2, Havre to Fort Belknap EIS and are discussed in Section 4.2.9 of the EIS.

8 Bob Bergren, House of Representatives [1] Bob Bergren, House of Representatives for this area. I would like to make a couple of comments. First of all, I would like to thank some of the visionaries like Sam Kitzenberg to having the foresight to be able to look forward to benefiting generations, long after he is gone. He will leave a legacy in this area for many generations.

One thing that puzzled me the most, I read through the State's sponsors, one on one that Mr. Cooper did. The difference in funding wasn't as great as I thought it would be. The 74 million dollars for the preferred one by the feds and there is 95 million dollars for the other one. There is a 20, 21 million dollars difference and that difference of 21 million dollars will have an impact. I would like to look at this project as Phase I of maybe 20 phases. Not looking at this as a beginning and an end project, as a Phase I of our corridor. And I think every time we look at and we have these meetings, it has to be reiterated and restated. It would sure be sad to see, if went through with the State funding process, that would go through and be that short, that close. Just give us the chance. Let us see if we can get that set aside. Give us the chance to get this corridor happening.

As a policy maker and as a representative of people who have elected me, some of the people, bureaucrats, that work in the departments suddenly think that they are policy makers and I think this is a huge example of where a bureaucrat, somebody has been appointed to do a job and follow through with the policy that the policy makers have set, such as Sam and then have taken the direction, the cooperation. You know, we talked about North Dakota what's going on with North Dakota? What's going on in North Dakota is cooperation with the Governor's office, cooperation with their Department of Transportation. Some visionary thinking people that are going out there and making this thing happen. The people that first had the idea of building a four-lane highway across North Dakota are probably gone. That's how long and how forward thinking those visionaries thinkers were. This will be another missed opportunity for the economic development on the Hi-Line and will become the black hole.

[1] PERKINS-SMITH: Thank you.

[1] I just wanted to explain. I'm going to -- we were at a CAC meeting in Chinook and we were -- I'm Bob Sivertsen again. We were not trying to bog down and there was a lot of questions in Chinook because some people were saying, well, you're going to wipe this business out and that business out. And they didn't want the one way couplets and so I just say, well, you know, we need to get off dead center. So I came up with idea of moving the railroad to the north, but to make sure that we didn't go any further with it, I called DEA the next day, I don't want you spending any time on it, because it's not a do-able, but it sure the heck got people talking and got a lot of people mad at me. It was wonderful.

Just let me say, the other thing, folks, as I think about it, the thing that you need to be aware of there is politics involved in this, and one of the statements that gave that first coined at the first hearing in Helena, was that we can't do it, folks. You should be satisfied with an improved Number 2. We can't do it because this may jeopardize other projects in the State of Montana. I hear other politicians using that same phrase today. Do you know what they are telling you, and I don't know if your tickled about it, but you're a second class citizen. Mike, you don't deserve any better up here.

So, that's what really bothers me and that's what reeks. And leads me to ask the question, is some of the conclusions in this E.I.S. predetermined? I'm asking that question, but I can give you instant after instant where this thing has gone astray. We have not gotten 2.8 million dollars worth out of it. Debra, Joe, and Steve, I'm not getting after you. What I'm doing is making a statement. Somewhere along the line, Mick and Karl, somewhere along the line this thing has gone astray. And I say we need to take and match that. We need to disregard the E.I.S. economic report, because it has no value. We need to incorporate facts and figures such as what Hal has put in his report. That's what we need. And Dale and Steve, I visited with them here the first of April in Helena, and trying to find out what they were looking for.

Now, these are the guys you want to take them coffee because they are going to make the final decision. Take them out and buy them a steak, but in visiting with them and I'll ask them to elaborate a little bit, but I was interested in how the process worked. Even though they have made a preference, stated the preference in the preliminary report and now in this draft proposal still in there, I would like to have one of you just kind of explain where you're at and what you will be looking at when you make that final determination.

- [2] Why did you state a preference in the preliminary and now in the draft documents?
- [3] One of the things that concerned me, and I talked to Ted about it, one of the things that concerned me in your preference, you used as a reason for doing that, is that funding for four-lane is uncertain, but that shouldn't be a part of your deliberations because Senate Bill 3 directed the DOT to seek Federal funding. So that is Step 2, if we get the four-lane, then we need to go to work. So, would you put in your preference, people are saying that it's not going to happen, Federal Highways is against 4 for 2?
- [4] Why are you considering something that isn't for you to consider, and that funding for 4 for 2 project, because that's Federal and Dave Galt did that with Amendment 203.
- [5] All I'm saying is that shouldn't be a part of your deliberations because that is Step 2 in this whole thing, seeking the Federal funding. You shouldn't be able to use that for an excuse of giving a preference of a Two-Lane Improved highway. That's what I'm saying.

(In response to Perkins-Smith) We hope it already has been.

(In response to Perkins-Smith) Yes.

[1] PAULSON: What you're seeing, what you saw up here is exactly what we looked at. So everything that is in the document is the things that we looked at and we made a preliminary call. We got a preference out there and that preference is based on the information that you have right here. So, what you want to do is you want to look at that stuff. You want to look at the information in the E.I.S. and give us the best information you can, and if it's wrong, we want to know. So, take a look at it, give us a critical review of it and we'll look at everything that you tell us.

[2] PAULSON: One of the things NEPA says, if you got a preference you tell people and why not. I guess, it wouldn't be fair not to tell you. We looked at it. This is what it looked like to us. We are telling you what it looked like to us. So you tell us what it looks like to you and that's what this is all about.

[3] PAULSON: Well, if you take a look at this, this is the way we were thinking, if you take a look at this. If you take a look at safety factors and issues there, we need to get something done. We need to address that first, this situation. So our thought process is we got to find a way to get it funded and get it done. That was our thought process.

[4] PAULSON: What we really think is safety. That's a real issue to us. The longer you leave safety unfixed, the more safety problems you're going to have over a period of time. So it is important, I think, to get something done. And to get something done you have to have money. Now, if there is other kinds of money out there that we don't know about, tell us.

[5] PAULSON: Well, we did. That was our thought process. Take it for what it's worth. Along with everything else, we looked at the safety and all the environmental impacts and everything that is on those charts, balanced all of those things, looked at all of them and tried to make a call.

PERKINS-SMITH: Let me -- one second, I have one thing I want to clarify with Bob and that has been mentioned a couple times of this report. Would you like to enter that for the record?

PERKINS-SMITH: Would you like to enter it as part of the official transcript tonight?

ADDITIONAL: "A Critical Review of the US 2, Havre to Fort Belknap, Montana EIS Existing Economic Conditions Report Final Document, June 2003" written by Cooper Consulting was submitted. Refer to Public DEIS Correspondence Summary, Comment #6 - Cooper/Highway 2 Association for an abstract of this report and responses.

ADDITIONAL: The alternatives mentioned in Point [1] are documented in Chapter 2 of the EIS.

SIVERTSEN: That's fine.

COOPER: We want to make sure that we take care of the Indian tribes.

SIVERTSEN: We will give you this copy and then we will send you the changes so you can make those changes, or add those pages to the document. But I so move that we want this incorporated into the record.

[6] COOPER: Thank you. Hal Cooper, Washington. We have heard fixing is the short-term problem. What can be done with this is some improvements to two-lane, but I think we also need to look at the long-term. I think what really needs to be done in this corridor is that we need to have the four-lane highway. We also need to have a double track railroad line and we need to have a major electric transmission line all in the same general area. Move energy from North Dakota to Montana out to the great states of Washington and Oregon, especially California, and that's a different category. This isn't just involving Federal funds for building a road. It's a whole different story.

We actually have the traffic based adjusted by double tram in, really right now, because we have all the suggestions in Los Angeles, Long Beach they are barring traffic because they can't handle it. Why, because there isn't enough capacity. They are going to move it up to Seattle and Tacoma and then we are going to have the same problem in the Hi-Line that needs to match. And we are going to have an electricity problem out in the West Coast. What are we going to do? Move power from Montana to North Dakota. We can't do it unless we have a highway. Governor Hoeven said we wanted to have a whole series of new energy facilities built -- what's the big problem? Transmission. Why is it a problem? Because he has to deal with other states and that probably is a much more serious problems to deal with than the highway and the railroad. But it's a problem and we are going to have to deal with all these, and I know this isn't part of an environmental impact process, but it sure needs to be addressed.

There needs to be a complete and total and comprehensive identification and inventory of all of the energy resources along this Corridor from Troy to Mayfield of coal, natural gas, oil and any other major minerals and those needs to be mapped. They need to be publicly available. So people know what's the resources. And the present level of knowledge we have, or at least what's presented to the public is totally inadequate. And we need to do something about that. It's important of this process, but certainly it's going to effect this corridor if we actually do categorize all of it.

[7] SIVERTSEN: Hal, would you mention this corridor, the advantage it has in distance compared to I90?

COOPER: Well, as far as the transportation is concerned, this route is some 60 miles shorter. It has only one mountain pass channel as compared to three that are steep. We only have one pass, compared to three.

[8] SENATOR KITZENBERG: Senator Sam Kitzenberg. I want to address the safety issue. I guess I don't get the point about how leaving a two-lane highway increases the safety. We are channeling all that truck traffic down to 94. And have you been down on 94 lately, where it's almost one truck after another, at least they are on a four-lane highway. How many of you -- and the situation gets even more critical up here on Highway 2. When we have long

[6] ADDITIONAL: Comments noted.

[7] ADDITIONAL: Comments noted.

[8] ADDITIONAL: All alternatives including the improved two-lane alternatives would increase safety by providing wider shoulders,

No.	Individual	Comment	Response
		grain trucks or excuse me, yeah, long grain trucks, long hay trucks, big campers, try and pass safely on Highway 2. I don't think a two-lane is going to do that. And I think passing lanes, and can't verify with any study, I hear that passing lane	
		COOPER: They used to kill lots in New Jersey.	
		SENATOR KITZENBERG: My understanding they quit doing passing lanes. I think safety is a big reason for a four-lane. You can get around traffic. I have heard more people complain that you can't pass on Highway 2.	
10	Danny Leeds	[1] Danny Leeds. I don't belong to any group or anything. I guess I'm thinking that in my lifetime, maybe it won't be done by the time I'm dead. I don't know, but if Havre is the biggest city on the Hi-Line from one end to the other and you don't start now, it's not going to get started because you're going to improve the road from Havre and Harlem and you update it to an Improved Two-Lane with Passing Lanes, that sets this project back again even further. It has to be started now or the Hi-Line is going to dry up. It's not me, I'm not going to be alive probably by the end of it, but I got kids and they are going to have kids. It needs to be started now.	[1] PERKINS-SMITH: Thank you, for your comment.
11	Bob Bergren	[1] Bob Bergren. I was wondering if I could ask Dale if evidence is provided to you in comment period that would look at the entire corridor, for the economic impacts that it would have, are you allowed to or would you be able to use that in your decision?	[1] PAULSON: Yeah. We will use anything that is presented to us sure.
		[2] Would you be allowed to look at the entire?	[2] PAULSON: We will look at any information that is submitted to us.

- Mick Johnson MDT/ Senator
 Kitzenberg/ Debra
 Perkins-Smith DEA
- [1] (Follow up by MDT to Senator Kitzenberg's earlier comment on the new Milk River Bridge and the economic analysis)

[2] SENATOR KITZENBERG: Just in addition to the Cambridge Systematics, and this is why I said we have spent 2.7 or 2.8 million dollars on this, Cambridge Systematics, that study the reconfiguration is about 800 or a little better than \$800,000. Cambridge Systematics though, came into this area with a bias and stated it in the media before we ever got started with reconfiguration. I had a real concern about that, but I was assured by DOT and David Evans that ICF had nothing to do with that study, but parts of that have been integrated into the E.I.S. That's an outfit out East. They had a bias coming into that. I have raised that point, but they went ahead and spent that money as well. We just throw money at things without any sound reasoning.

Then, I understand for a basis of doing a lot of things, you're quoting Paul Polzin from the University of Montana. Not disrespecting him, but the fact of the matter is, we haven't listened to the leaders, and listen Debra, I'll pay for the next hour this is such an important issue. But the point I'm about to make, we are not listening to people that have made businesses thrive in this free enterprise system of ours.

Ted [Tom] Donahue from the U.S. Chamber of Commerce, build your four-lane highways. He said communities will thrive, businesses will grow and people will come. Premier -- I can't think who just retired a couple years ago in China -- they went through the tremendous recession and the one thing he said that he was really grateful for that he did and it took credit for bringing them out of recession. He spent millions and millions of dollars on infrastructure, building roads, streets and bridges and sewers and now they have one of the strongest economies in the world. They have been growing at over 9 percent. Senator Bob Graham testifies in a committee in Washington there, that stating that they are debating this thing of giving the corporation huge tax breaks what would be the best route to go. And he said if we spent the money on infrastructure we would be so much further ahead. We would help so many more people. If you're interested in looking at what economic development can do, you don't talk to all professors and the like, you have to get out and talk to the people that can make business work. We haven't done enough of that and I'm not putting Paul down because he's a smart man, but what I'm saying is that to quote him and not quote Ted [Tom] Donahue, that's where the fallacy comes in this whole thing.

[1] JOHNSON: Mick Johnson, Department of Transportation. You had a comment Senator Kitzenberg and it caused you a tear. We did a careful analysis of where that bridge is located. Actually, if you go just east of the bridge we need the offset for the four lanes. That's what goes in. We need the offset to be away from US 2. We are looking at what would be the northern shoulder of a four-lane when you look at the northern shoulder of that bridge.

I will tell you this, should we put four lanes in there, that structure will be two separate structures. The roadway could come to it as Undivided Four-Lane, is it what would be the northern limit of a four-lane road. We considered moving it over a little further because for ease of construction, it would have been a lot better, but the decision was made based upon the possibility that it would be four-lane.

The last thing, because someone asked about an economic analysis of the entire 666 miles, the State of Montana has conducted an economic analysis of the entire State of Montana, and the impacts to communities of roadways. It's called a HEAT analysis. It was done by a different firm. It was done by Cambridge Systematics. That report is available, Dr. Cooper, if you would like a copy. I'm not going to propose or argue that Cambridge Systematics study. As Federal Highways has mentioned, it's another tool that would be used, but the Cambridge Systematics, which is called HEAT. That's a complex study which has just been completed or is completed.

MS. PERKINS-SMITH: In fact, we take a look at any information and we did look at that, and in the E.I.S., there is description of it if you're interested. You understand the economic section and the results from that were comparable to the results from the E.I.S. study.

[2] ADDITIONAL: The "Cambridge Systematics" study is the Montana Highway Reconfiguration Study, which is a separate project. The Benefit-Cost Analysis section from Chapter 4 of the EIS compares that study to the economic analysis for the US 2, Havre to Fort Belknap EIS and concludes that the two independent analyses are similar in that the project costs exceeded the project benefits for improving US 2. These studies were conducted independently.

PERKINS-SMITH: Are there any more comments tonight?

A couple things I would like to mention in terms of wrapping up. Stacy is here and if you would like to make a statement to her you can do that. There are these sheets, your comments sheets. You can take these away with you, if there are other people that are not here tonight and would like to comment. If you have already completed this, could you please leave them at the table on the side there. These also become part of our administrative record, these comments do. If you're shy about speaking up in this type of forum, please come see Steve. We will write down your comments, me or Joe, and we will gladly take down some comments for you and make them part of the record.

A couple of things in terms of the rest of the week. As I said, tomorrow night we are in Chinook. And then the next night we are in Harlem, and at lunch time on Thursday, we are at Fort Belknap. This presentation will be similar and all comments are weighting equal, so don't worry that you missed one of those, but you're here tonight. One of the reasons we have been writing down these comments, we have found when we do, what did they say in Havre. So we put these sheets up so that they can see what the comments were from the previous nights. So we keep a running list of all of these comments and it's just for their information, so that's why we have been doing that

So the presentation is in those other communities will be similar to this, except for tonight we talked about Havre. We will talk about their particular community, in addition to the overall corridor as well. If you have a specific question about one of those communities, Steve actually has detailed plans with them. Come see him, or if you want to come talk to tomorrow morning or something, let him know and he can show you detailed plans, if you're concerned about a property along the corridor. Two more questions and then we will wrap up.

[1] PERKINS-SMITH: And actually to be honest with you, some of the things you have concerns with in Havre, they don't have in other parts of corridor, and vice versa, depends on where they were.

13 Dennis Morgan

[1] Dennis Morgan, again from Havre. Debra, I think it will be interesting, your next three meetings at least it seems to me here, the environmental impacts, I don't think anybody has said a thing about it. I mean, you have seen what we are interested in. So, I think it will be curious that you will get a sense of where we are all at in your next three meetings.

14 Gary Anderson

- [1] Gary Anderson. I have a question, I'm familiar with and maybe quite a few other people are, the four-lane highway with the center passing lane from Vaughn on Highway 200 to Sun River. Now, I know that there are no communities along that section of highway, but that seems to work out very very well possibly for that location. Is there some reason why that is not being presented here? We do have all these communities that we are going through, I can see that being one difference. We do have one, roads branching off, more that would service north and south, farms and ranches off of Highway 2, than they would in that section of road between Vaughn and Sun River. What are the reasons for that being left out?
- [2] They also have built into it pull-offs and that kind of stuff too. Now that was just done two years ago so there must have been, is there a match in thought process there, as to why that is: isn't it effective way to do things?
- [3] Why is it an advantage there?
- [4] Is the cost then of a Four-Lane Divided greater than that type of a thing, or does it cost about the same?
- [5] I guess when you were making your presentation over there, and I felt everything you made some comment about the medians and we may have to give way to the medians for passing. I didn't quite understand. I'm thinking, well, in those areas, then especially if you go from Chinook to the new bridge, we have a lot of turnouts there, and maybe that would be an area that we would have then give way to that center median to that passing. I don't know. I'm not saying it should be. Then when you get past, after you get past the dump area, then from there into Havre, I think we get a few more turnout situations, where I don't know if it would be helpful or not.
- [6] So that's in your plan?
- [7] I love statistics. You can pretty much do whatever you want with it. I'm wondering if this is similar when the State told us that we needed a fence up at the park and they said we would save 45 percent of the cows and there was something like two accidents in ten years. We would save like one cow

- [1] PERKINS-SMITH: Their's is two lanes [sic].
- [2] PERKINS-SMITH: We actually had that in some locations in the corridor. Maybe Steve wants to talk about that a little. There are certain cross sections that are probably more applicable in certain areas in the corridor and maybe Steve (Long) can address that.
- LONG: The thing that I'm aware of where you're talking about, when you have back to back access and that's why we are proposing in Havre here, but along the rural highway it's just not that common. We hadn't had that as an issue that we come up to date, but it's not a standard practice I would use. So we didn't have that cross section. There would be no advantage to it out on the rural corridor.
- [3] WILMOT: Doug Wilmot with MDT. And that project, in an 8 mile section, I believe there is two 11-foot approaches. So it's basically just access for the approaches. I think what they have in their Four-Lane Undivided is similar to that, in that at several of the areas with major approaches, they do have a left-turn lane, one direction or another, but basically what would happen at there -- it's just continuous.
- [4] WILMOT: The cost of a Four-Lane Divided would be greater than that because in the Four-Lane Divide you are also, still are providing some left turn access.
- [5] LONG: Well, we look at that and analyze that, whenever we thought that there was enough need for a left-turn lane, we developed a left-turn lane.
- [6] LONG: That's in the plan for every one of these. There is a left-turn that's required in this one, it's also required in this one. And we provide the same left-turn route. Okay. So if we have accel or decel lanes or left-turn lanes, included in all these same locations.
- [7] JOHNSON: The issue of Beaver Creek Park, any roadway where we reconstruct, where there is a dangerous animal hit during the process, we actually had to have a legislature process specifically match for Beaver Creek Park. The law still stands for every other roadway in Montana, except Beaver Creek Park. As with this case, we are required to follow the law and we did follow the law. And I don't remember who carried the bill, but someone did for the county and they got that fence removed from Beaver Creek.
- PERKINS-SMITH: I would like to thank you very much for your comments and I'll enjoy reading them once we get them.
- JOHNSON: Thank you all for coming tonight. I appreciate all of the comments that we have had. The pleasant comments that we have had. The lack of hostility. Thank you very much. We appreciate that. I want to specially thank the Citizens Advisory Committee. Those people have worked very very hard, met many many many times, have listened to all of your comments from their neighbors,

No. Individual Comment Response

their friends, et cetera. For those people on the Citizens Advisory Committee, thank you. We have several of them Kathy Bessette, Senator Bob Sivertsen, I thank all of you and appreciate your attendance tonight. Thanks.

(Proceedings concluded.)



U.S. HIGHWAY 2

"COMPLETING THE CORRIDOR"

GROUND BREAKING CEREMONY

MAY 24, 2004

MONDAY 11:00 AM

TIOGA, NORTH DAKOTA

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good evening. GLASGOW

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'If they can do it, we can do it'

Montana State Senator Sam Kitzenberg returned home to Glasgow on Monday, May 24th, after attending the Ground Breaking Ceremony for "Completing The Corridor" at the intersection of US Highway 2 and Highway 40 near Tioga, North Dakota.

"I was encouraged that North Dakota wants to continue the corridor through Montana," he said. "North Dakota Governor John Hoeven told me that they would finish the stretch between Williston and Montana as soon as we start on ours."

North Dakota's slogan is: "Across the State in 2008." The Federal Highway Administration has put on a fast track plans to widen the 98-mile stretch of US 2 into four lanes from Minot to Williston in five years rather than 10.

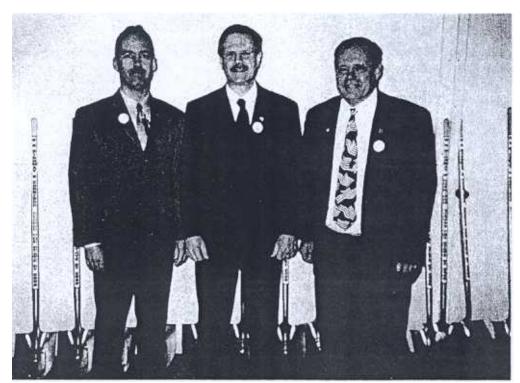
United States Senator Byron Dorgan made the comment at the Ground Breaking Ceremony, in which over 300 people attended, "This is more than a road. It is transportation, safety, trade, tourism, development, prosperity—and a corridor."

North Dakota Department of Transportation Director Dave Sprynczynatyk added, "Montana could clear the same hurdles that

Continued on page 3



Montana Senator Sam Kitzenberg was formally introduced and awarded a "golden" shovel at North Dakota's "Completing the Corridor" Ground Breaking Ceremony this past Monday for his ceaseless efforts to develop the corridor in Montana. Sam introduced SB 3 to establish a four-lane in Montana for US Highway 2.



Brad Bekkedahl, Chairman of Communities for a Modern Highway, North Dakota Governor John Hoeven, and Montana State Senator Sam Kitzenberg all believe in "4 for 2". North Dakota's slogan is "Across the State by 2008." Perhaps Montana's should be "Across the State before it's too late!"

If they can do it... continued

clear with this project. He noted that Jim Martin of his staff was one of the individuals that did "miracle work" for them. Carl M. Highsmith of the Federal Highway Administration also agreed that Montana could achieve the same results as North Dakota.

Senator Sam says that

North Dakota has had to the "4 for 2" dream in Montana lives on, and that the next Montana Governor could make it a reality.

> "North Dakota is proof of what good leadership can accomplish," Sam insists. "If they can do it, we can do it."

"We are within inches of making this a reality. We are so close, I am afraid to

breathe. Its importance to the Hi-Line's future is astronomical!"











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Senator Sam Kitzenberg Glasgow, Montana

Senator Kitzenberg,

As the President of the Communities For A Modern Highway 2 in North Dakota, I feel it has been, and continues to be my responsibility to support the efforts of the Montana Highway 2 Association in their endeavor for four-lane improvements to US Highway 2 across northern Montana. I commend your Association, and your President, Bob Sivertsen for being pro-active and willing to work cooperatively with others on this important project. I would appreciate it if you or Bob could please read for the record, my remarks on the EIS document and process during hearings in Havre, Chinook, and Harlem this week. Your efforts are important for our economic survival and success here in North Dakota as well, so we are proud to stand with you today.

In terms of the current situation of US Highway 2 in Montana, let me urge the Montana DOT and the Federal Highway Administration to look beyond their stated goal of "bringing the road up to minimum Federal Standards" as a two lane highway within the next 20 years. Understand that highways are built today with a life of 20, 30, even 50 years or more, and even if the upgrades are completed to two lane standards in 20 years, the hi-line of Montana will live with that transportation system for another 30 years or more beyond that. It makes no sense to invest the funding necessary to do that significant improvement, and then re-do or re-design it again in 20 years. This will mean even more years of decline and lack of opportunity for the hi-line communities. If it is the goal of the current administration and Highway Director to further deplete the population base of the hi-line, then they are pursuing the right alternative by doing nothing or minimum standards upgrades.



Based upon our experience here in North Dakota, I would urge the Governor, Montana DOT, Federal Highway Administration, and the Montana Highway 2 Association to work cooperatively towards the best alternative for the people and businesses of northern Montana. We recognized in North Dakota that investments to US Highway 2 in terms of a four-lane upgrade benefited not only the communities along the highway, but the entire State of North Dakota economically. Our high level of cooperativity has led to a reasonable plan for completion of our US Highway 2 four-lane corridor by the year 2008. I believe the same opportunity exists for Montana today. Our NDDOT was willing to listen to our communities on their needs, and work aggressively with Federal Highway to incorporate the information necessary to support the premise that a four-lane highway was justified. In that process, no alternative was slighted, or ignored, as is required by the EIS process. While it was a lengthy process, and required extra time to research and prepare, it showed what communication and cooperation can accomplish.

In terms of the economic development issues, I would agree with Mr. Cooper in his report when he states the study is flawed by not including the "entire length of highway 2,

as well as the corridor developing" instead of only one 45 mile stretch. Logic would indicate that there are probably no rural segments of highway in the United States that could show that much positive development with a four lane highway isolated on both sides by a poorly maintained 2 lane highway system. It needs to be viewed as a "corridor", not as a "segment". On a local note, everyone with any experience in highway discussions will tell you there is no conclusive proof that four lane highways make a difference in a local economy, to the point that it would improve that economy significantly. I can show statistically that in North Dakota, Dickinson and Williston had similar sized communities and agriculture based economies up until the completion of Interstate 94 in North Dakota. Since its completion and the completion of the Interstate system nationwide, which I-94 interconnects to, Dickinson has seen an increase in their manufacturing employment base of 132%, while Williston, currently on a 2-lane US highway, showed a decline in manufacturing employment of 31%. Both communities had a similar manufacturing employment base in 1969. Williston had 427 employed, and Dickinson had 435. The numbers now are Williston 295 and Dickinson 1010. (as of 1999) statistics). Dickinson had also seen an increase in Transportation employment of 122% in this time frame, compared to a decrease of 10% for Williston. And both communities had similar employment there as well before the I-94 corridor completion. Williston had 531 employees, while Dickinson had 426. Williston now has 477 employees, and Dickinson has 944. I would submit to you that a four-lane highway (and a lack of a four-lane highway) was significant in these statistics. I urge the people evaluating the comments to this draft statement to listen carefully, understand the limited scope of the current proposed evaluation, and request further written data on a "corridor" development study for US Highway 2 in Montana. There is minimal harm in taking the time to be fair and do this right, and the stakes are enormous if it isn't done right.



In terms of the computer analysis program developed for Montana DOT to show cost-effectiveness of specific highways, let me submit, again using common sense, that at current costs of construction, there are probably no highway development projects in the state of Montana that would "pay for their investment". I know of none in North Dakota that show enough return for their justification of construction. We simply deal with too much space, and too few people. This is one of the justifications for our current return of Federal gasoline tax dollars to our states that is higher than that paid in by our residents. Currently, I believe Montana receives over \$2.00 for every \$1.00 collected. The Federal legislation understands we have too much land and too few residents and resources to do this on our own funding. While it is not a part of the EIS hearing process we have before us today, I would encourage Montana DOT to show with their program, any significant length of highway improvement program in Montana, current or proposed, that "pays its way" in terms of the investment.

Please let the record show that the Communities For A Modern Highway 2, a North Dakota organization, supports the four lane, divided highway as the preferred alternative for construction between Harlem and Havre, Montana.

I want to thank the presenters here tonight for allowing my written testimony to be

heard and recorded for consideration. I have always believed that nothing in life is beyond accomplishment, as long as there are people willing to listen, communicate, and work together for the benefit of others. My best wishes to everyone that took the time to be involved and be heard. You are the reason many of us stay committed to this project.

Respectfully submitted,

Brad Bekkedahl, President Communities For A Modern Highway 2 Williston, North Dakota

701-572-6269 (h)

me Loo Jo Dam Katgerberg

P.S. The world is full of missal opportunities. -8.K.

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...until they pry it from our cold dead hands!

by Sen. Sam Kitzenberg, R-Glasgow

"Well, I'm disgusted! This is so important to the families of the Hi-Line! Depending on how this map turns out the Hi-Line will thrive or die...and so families and communities. Believe you me, political careers and legacies will be written on this one day... one way or the other." ... Sen. Sam Kitzenberg

An open letter to the Hi-Line

Why don't they hear us? US 2 is the Hi-Line Life Line! ...and the Hi-Line is fading fast! Do you see an ominous foggy hole in the four-lane routes on the accompanying map...a BIG hole in the infrastructure of the northern regions of Montana. But don't worry...say the experts, there is no significant economic impact!! Do you also see the resulting proposed alternates and connectors



to be built around the Hi-Line? Even Canada makes us look bad. Why aren't you as enraged as I am?

This map may well represent the Hi-Line in 20-30 years if things don't change and we don't start getting the support we need.

The dark routes are present and already proposed four-lane highways. Some of these are recent proposals, yet real advancements by serious folks. All one needs to do is to be attentive to

the news and reports. How long before we get *any* economy when Williston connects south to I-94 at Glendive or Belfield, ND?

As we all know, US 2 families and communities have not received the necessary support from the legislature. This body did prohibit by statue any state moneys from helping with this project. That means, unlike North Dakota, no critical 20% state matching funds to garner federal highway dollars. The limitation was added to the wording of the original bill to, in effect, render it undoable. Support for the wording change came from the DOT and those opposed to the idea of the Hi-Line getting a four-lane on Transportation Committees and among legislative leadership. They said the cost to Montana would be too much. Looking at the "US 2 Hole" I would suggest the cost of not proceeding will be much greater!

I am sure the cost in safety and opportunity will be great for the people on the Hi-Line...and also sure all of Montana will end up regretting this total lack of vision toward our global economic future. Think about it. What are five of north and eastern Montana's major potential resources?

Beef... Wheat... Oil... Natural Gas ... Coal. These are major! These do, or will, play a vital roll relative to the global economy for Montana and our nation. So who will care about Hi-Line infrastructure in future competition for economic opportunities? The answer is simple. Montana will. Who cares to help now? The answer is again simple. Just look at who goes to bat for US 2.

Hi-Line folks have gotten no help from the Governor's office and her Department of Transportation appointees who have only given lip service to quell discussion while throwing up hurdles at every turn. Even without the state match, we could have gotten some startup funds if there was any real support from *any* of them. They did trot out a new economic analysis program that indicates on a scale of 1 to 10 the need on the Hi-Line ranks near zero. I would suggest that only a very few miles of <u>any</u> Montana highway could pass muster. By contrast, take a look at what a supportive Legislature, Governor and Director of Transportation have done in North Dakota. They have approved and built a fair and balanced highway system for all the residents of their state.

Our Congressional delegates sit on the most powerful transportation and finance committees in Washington DC? Where are they? Do they hold council with the DOT? Do they lack staying power? So far special highway funds have been appropriated for a \$2 million study that will actually be used by the Feds to stop the four-laning effort! Not 1 mile of road for \$2 million! Federal Highways is doing the dirty work. Their refusals provide convenient deniability for all levels of politicians who won't or can't get the job done. But...the same politicians don't want to say NO to the often pivotal Hi-Line ballot boxes.

"Well, I'm disgusted! This is so important to the families of the Hi-Line! Depending on how this map turns out the Hi-Line will thrive or die...and so families and communities. Believe you me, political careers and legacies will be written on this one day... one way or the other."

As for parts of Montana, it is obvious they as a whole...as indicated by those they elect and whose votes they support...are content to see the Hi-Line wither and die. Have people not yet learned you can't just neglect a region and expect continued economic success...or any other kind of positive growth over the long run? I can't even believe this? This is our misguided, flawed reservation treatise of leave'em out there...ignore them and the problems will go away...happening all over again, only this brings to the brink the entire Hi-Line and much of eastern and central Montana. Sadly, direct help for four reservations – Blackfeet, Rocky Boy, Ft Belknap and Ft Peck (25% of US 2 length in Montana) – and indirect impact on a fifth who expressly requested a roll, the Flathead, are minimized yet again.

If you accept this, fine. If you don't, then unite! Let the voices of the families, cities, towns and tribes...farmers, ranchers and, yes, law makers who need a Hi-Line Life Line speak as one loud voice! Differences need to be set aside on this one. Your voices and influence must be potent and ever enduring to be heard and, just as importantly, to be felt.

If the hearts you require to listen and act are not stirred, then vote them out of the mix! Give someone the job who is not afraid to stand in the gap, to fight for you and to make the difference! Make sure! ...make sure you elect those who will take strong action for 4 for 2 in Helena and Washington...and see to it they make an impact long and continuous!

If Montana won't throw us our life line, then we will clamor and claw our way onto the agenda. As was once similarly stated, we won't give up our Hi-Line Life Line until they "pry it from our cold dead hands!"

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3	PUBLIC HEARING
4	US HIGHWAY 2, HAVRE TO FORT BELKNAP
5	CHINOOK, MONIANA
6	JULY 14, 2004
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9	orignal.
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11	SPEAKERS:
12	From the Firm of David Evans and Associates
13	DEBRA PERKINS-SMITH, Project Manager
14	JOE HART, Traffic Engineer
15	STEVE LONG, Highway Engineer
16	
17	
18	
19	
20	
21	
22	
23	Stacy M. Ellery
24	Registered Professional Reporter
25	

PROCEEDINGS

MR. JOHNSON: My name is Mick Johnson.

I'm from the Montana Department of Transportation
from out of Great Falls and we are here tonight to
do a presentation that we are doing along US 2.

I'm going to make a couple of comments of
introduction and then we will turn this over to
our consulting team.

With me tonight from the Department of
Transportation is Karl Helvik- Karl is the
Consultant Design Engineer and he is the lead on
this project. Doug Wilmot is from Great Falls.
He does all the construction and construction
oversight, including the Milk River Bridge that is
outside of town here.

We have from the Federal Highway

Administration, Ted Burch. Ted is the Operations

Engineer from Helena. We have Dale Paulson. He's

from the Federal Highway Administration. He's a

Project Development Engineer. They are

representing the Federal Highway Administration.

We have from the consulting team of David

Evans and Associates, we have Joe Hart. Joe is
the traffic Engineer. He's the Vice President Of

Transportation for David Evans and Associates.

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There is Steve Long. Steve is a Civil Engineer
1
   from David Evans and Associates and he did the
2
   engineering and the design stuff for the E.I.S.
3
   Debra Perkins-Smith is Project lead From David
 4
   Evans and Associates.
                          She's a Project Manager on
   this particular Environmental Impact Statement.
 6
   She is an Environmental Manager with David Evans
7
   and Associates. I have a couple of other people
8
   that I would just like to take a second and
 9
   introduce. We have Senator Hansen from Harlem
10
   back here and we have Mayor Dehmcke, he is here.
1.1
   We have Blaine County Commissioner Delores
12
   Plumage. Anybody that I missed from Cutbank?
13
       Anyway, with that, what we will do is we have
14
   a presentation that David Evans and Associates is
15
   going to do for you. And then we will take public
16
17
   comment after their presentation.
       So with that, I will turn this over to Debra
18
   and she'll get started.
19
                                 Thank you for coming
20
            MS. PERKINS-SMITH:
             There are a few people still checking in
21
   tonight.
   back there. I'm really glad to see everyone
22
             This is our second meeting this week.
23
   tonight.
24
   We had a meeting last night in Havre to start out
25
   the series of meetings this week.
                                       Tomorrow night
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we will have a meeting in Harlem and at lunchtime tomorrow, we are actually going to be in Fort Belknap. So welcome.

The US 2, Havre to Fort Belknap, E.I.S. covers the entire corridor from outside of the Havre city limits, at the end of the curb and gutter section all the way through the corridor through Lohman, Chinook, Zurich, Harlem and into Fort Belknap to Montana 66 intersection, through that area.

Tonight, because we are in Chinook, our presentation is going to focus more on Chinook, but we do have information that we will go over very generally for the entire corridor. The E.I.S. study is for the entire corridor from Havre to Fort Belknap.

This project started about two years ago, and some of you I know, I have seen some familiar faces, I have been involved quite a bit through this study process. We have had a series of meetings, first to identify issues, what are some of the problems, what are some of the issues we need to address in the corridor. Then we developed alternatives, solutions to address some of those issues. And then, the most recent process has been to evaluate those different

alternatives and that's why we are here tonight. We wanted to share with you the results of the findings from evaluating the various alternatives and also based on that, MDT and FHWA have each identified what their preliminary preferred alternative for the corridor is, so we would like to share that with you later tonight.

1.5

A couple of the main purposes for tonight's meeting, in addition to sharing that information, is to obtain comments from you on the Draft Environmental Impact Statement. We are taking comments through August 13 on the E.I.S. and Section 4(F) of the evaluation. That information is then used by the MDT and FHWA to revisit this information and to make a final determination on a preferred alternative for the corridor.

Another purpose for tonight's meeting is we are taking comments for the Army Corp of Engineers on what's called a 404(b)(1) permit. This permit is required under the Clean Water Act and it's for dredge and fill into waters of the U.S. So, for example, if this project fills wetlands, they are required to get a permit. So tonight, we will also take any comments you have on that issue and we will then provide those comments to the Corp to

address. So, it's another purpose for tonight's meeting.

Let me just go through a little bit of what happens after tonight and after these comments are compiled. We will go through a process, as I identified, with the MDT and FHWA. The specialists that work on various things, whether it's a biologist or economist, will look at their particular area in terms of the comments and will address those comments and come back with MDT and FHWA and say based on that information, we will make revisions to the E.I.S., maybe change their preferred alternative. At that point, we will go forward to what's called a Final Impact Statement, Final Environmental Impact Statement, and that would compile all those changes from the comments.

The study concludes with something that is called a Record of Decision and you must have that Record of Decision prior to obtaining Right-of-way or to start construction on a project. I should mention as of right now, there is no funds to go forward into the construction or Right of Aquisition phase. At this point, there has only been funding to get you through this environmental

process, which is required when you have Federal funds involved in a project. So that's where we are today.

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Hopefully, when you walked in, if you haven't, you should have picked up a packet of information. We have an agenda. There is information on what are the rural corridor alternatives. There's another graphic that looks like this. These are actually the alternatives for Chinook. These are a little bit different than the rest of the corridor.

12 And then there's a comment sheet here. If you have comments that you would like to make, 13 you can leave this sheet with us. There is a box 14 15 there on your way out or you can mail them to us There are many, many ways to comment. 16 later. 17 There's also a web site on here. If you prefer to 18 do that, you can use that web site to make a 19 comment. And Stacy Ellery is here with us She is transcribing, making an official 20 tonight. 21 transcript of this entire meeting, and you can 22 give her a comment afterwards and she can transcribe it directly. At the end of the 23 24 presentation, we will have an open question and 25 answer or comment period and you can make a

comment at that period and Stacy will be taking it down as we go along. So, there are many ways that you can provide input to us on the study at this point.

Let's see, with that, I would like Joe to talk about the public involvement to date. I see some new faces here as well and I know I saw some of you check off that you wanted to be added to the mailing list. This might help you get a context for where we are in the study process and what has happened previously, in terms of the type of involvement down the corridor as we have gone through this process. Joe?

MR. HART: Public involvement was an extensive part of our work effort on this project and it was very important in helping identify the issues and the concerns of the communities along the Hi-Line, as well as in shaping the alternatives that you'll see us present this evening.

We held public meetings very much like this here, here in this room, throughout the project.

We started late in the year 2002 and that occurred on frequent intervals throughout. We held public meetings to scope out the issues. There were

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   public workshops in each of the communities to
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   gain information from each community area.
                                                Then,
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   as we were developing and designing our
   alternatives, which were the alternatives that
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   best met the purpose and need for the project.
 6
   Then, this public hearing tonight is the official
 7
   record to be kept of the comments on the
 8
   Environmental Impact Statement.
 9
       We also had a Citizens Advisory Committee that
10
   was made up of local citizens, representatives
11
   from the city and county and tribal government,
12
   the Chambers of Commence and Bear Paw
13
   Development. Highway 2 Association was a part of
14
   that, Bob
              Sivertsen, the trucking industry, and
15
   Burlington Northern were all part of that
16
               They met nine times throughout the
   committee.
17
   project and provided us with a lot of good
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   information, technical information, that was very
19
   very viable.
                So, we appreciate their effort.
20
   They have also had a chance to review the
21
   Environmental Impact Statement and given us
22
   comment on that.
23
       We also held small group meetings in the dead
24
   of winter, that was with the irrigation companies
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   to learn about the road widening.
                                       We met with the
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emergency response folks about the concerns responding to accidents along the highway; that was a big concern. We met with business owners along US 2, and we will talk about that. business impacts are most prevalent right here; Burlington Northern and others. We had lots of opportunity for public comment. newsletters that went out with this information and all of this was on our web site. If you get on there, you can download any of this information and review it. We had a public survey earlier on in the process, as well as a trucking survey, which asked the truck drivers about their needs and what their concerns were. All of that has been documented in the big study. I think Deb mentioned there's a copy in the back for you to review and other locations around, in each of the communities, where the report can be reviewed.

MS. PERKINS-SMITH: With that, Steve, I think tonight what we will do is go through the general, just to give you a general feel for what the impacts are corridor-wide, and then we will focus specifically on Chinook and then go into the details for Chinook.

MR. LONG: My engineer role on this

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   project begins with really what is wrong, what are
   the problems out there. That's what we spent the
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 3
   last couple years on:
                          What are the
                                         deficiencies
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   of the corridor; what are the physical
 5
   deficiencies; what creates accidents; what causes
 6
   safety concerns and what are the operational
 7
   deficiencies; how much can the existing highway
   hold; how much does it need to hold today and how
 9
   many cars does it need to travel on in the
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   future.
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Okay. Now, the purpose and need of the project begins with providing an efficient highway to support economic vitality. Okay. Now the group that we brought together, our Citizens Advisory Group and our Technical Advisory Specialists, came up with this as a very important part of this project. The second, reduced roadway deficiencies, which leads into improved safety and, like I mentioned, improved traffic operations.

So the first thing we did is identify what are the deficiencies. The two main deficiencies that we saw on the roadway are first off, there is not a lot of space between the railroad and highway and that creates problems with cars coming off and

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on from the highway that need to turn to the north. The second thing is the steep ditches and steep side slopes off the existing roadway. Those things are very bad for highways. You see a lot of substandard curves, things like that, but those were the two major deficiencies. Now, there were a lot of others that were in the E.I.S. that we had commented on, but those are the two primary large things.

The first thing we need to fix is side slopes. We looked at the operations. We said, how many lanes does the highway have to be and we did a lot of different evaluation on that and we came up with, for the existing traffic, we need two lanes basically just like that is out there. They need a safer two lanes and they need some shoulders. Projecting that future traffic, we also came up with the same answer to meet the Federal regulations and the guidelines and the state level ο£ service. Level of service meaning how it's grading, from A being real good to E being real MDT requires a level of service B, and that bad. said, that in the future, the next 20 years you need a two-lane roadway.

Okay. So, we decided we would go out and we

would set an alignment. An alignment is where the 1 roadway is going to sit. We took all those 2 railroad crossings that were unsafe and we 3 evaluated them. We evaluated them, how much are 4 they being used, are they evenly used, town roads 5 or county roads. Second thing we did, we looked 6 and saw if the geometrics from the safety, was 7 there enough stacking distance as cars either 8 turned off of the highway or trying to turn onto 9 10 the highway and we ranged those and what we ended up with was a list of ones that we wanted to 11 12 improve that we should move the highway away from. So our alignment was set based on that 13 14 need of getting the highway away from the railroad 15 and it meanders in spots. We also need to look and make sure that any environmental constraints 16 17 were properly being taken of. We really are taxed 18 with avoidance if we can take the opportunity 19 avoid wetlands, we do. Also our cultural 20 resources, we looked at how many homes are we 21 We did that to make sure we are avoiding taking. 22 all the obstacles as much as we possibly could. 23 Our first alternative is an Improved Two-Lane 24 Rural section. That comes with 8-foot shoulders 25 and two 12-foot travel lanes and again smoothing

out those slopes. Okay. The second alternative we looked at was the very same section, except at strategic locations we would put in passing lanes, and passing lanes are typically in locations as we are leaving town in both directions. We would have a passing lane for instance, leaving Chinook eastbound and a passing lane leaving westbound and these are generally short, usually a mile long. What they do, they allow all those cars that are waiting for slower moving traffic to clear.

The next alternative is a Four-Lane Undivided highway. Basically, still 8-foot shoulders and two travel lanes in each direction, but just a double yellow stripe down the middle.

Okay. Lastly, we looked at a divided highway. This is a, kind of looks like what an interstate might look like from a roadway standpoint with a median down the middle with grass, not as wide of a median but it looks like that.

Now, the divided highway creates a zone in the middle here and access is obstructed, so we can't provide a lot of left turns. So it really provides built-in access control. If you have to cross the roadway, you are going to have to go down and then come back if you want to make a left

turn. It does provide some access control.

One thing common to all of these alternatives was accel and decel lanes in all warranted locations. So along the corridor, what we as engineers do is, we evaluate the need to accel and decel and that's usually based on how much traffic is traveling. We also looked at left-turn lanes. So along the corridor for all these, and they are consistent incidently, if there is a left-turn lane on one, there is one on the other. We have provided those additional auxiliary lanes.

Okay. So that, for the most part, is our alternatives and how we developed our alternatives specific to the rural corridor. We will get to Chinook later.

Now, we are going go through the impacts that we have assessed.

MR. HART: So, as Steve said, we evaluated each of these on the traffic operations, but also on economic and social conditions, as well as environmental impacts. So what this matrix, big matrix here, shows for each alternative — those are No-Build alternative, if we did nothing to the highway, this first column, the Improved Two-Lane and then the Improved

1 Two-Lane with Passing Lanes and then the two 2 four-lane alternatives that are the last two. 3 then we evaluated those against a number of 4 evaluation criteria, the transportation criteria, 5 traffic operations, the social and economic 6 conditions and as well as environmental. 7 there's a detail or a copy of this detailed 8 evaluation on this table right behind you, that 9 was not on the sign in table, if you are 10 interested in the detail of each of these. 11 this is is a summary in trying, in as few word as 12 we could, of the large volume of information that 13 is spelled out in much more detail in the 14 Environmental Impact Statement. 15 One more interesting thing is the color 16 What the red indicates is adverse impact, 17 or a definite impact to that criteria for that 18 alternative, yellow is somewhere in the middle and 19 green is a positive. It's very beneficial for 20 improvement for that criteria. So what you see on 21 the transportation, all these are the 22 transportation criteria on the top half of this 23 matrix and that doing nothing is an adverse 24 It would stay in its operationally 25 deficient manner and then the more lanes we build

1 the better the traffic operations would become. 2 Then on the flip side, the more lanes that you 3 build the more environmental impacts and the more 4 cost to construct and costs because of property 5 acquisitions. So it's kind of a trade off there. And you can see the two-lane is kind of in the 6 7 middle there, of some good and some just adequate 8 meeting those criteria. I won't go into all the details we did that 9 10 last night, but we wanted to talk more 1.1 specifically about Chinook tonight. specifically under each topic area you can read 12 13 all the details by the matrix that is in the back. 14 MS. PERKINS-SMITH: If there were any 15 questions, we are willing to take them now before we move into Chinook. If you have a general 16 17 comment or whatever, we will do that during the 18 question/answer and the comment period at the end. 19 But I just wanted to make sure --20 MR. PEHRSON: Is it a problem any place 21 except in Chinook and the area that we are talking 22 about? 23 MS. PERKINS-SMITH: Yes. And actually 24 for Stacy, if you could, if you ask a question, if 25 you could please state your name for the record.

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             MR. PEHRSON:
                           Frank Pehrson, Chinook
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   merchant. Is there any problem with aguisition
    for Right-of-way, except in the city of Chinook
 3
 4
    and this 28 miles between here and Fort Belknap?
 5
             MS. PERKINS-SMITH: The 45 mile corridor.
 6
   Joe, do you want to actually read the numbers.
 7
   varies by alternative and, yes, the entire length
 8
   would require Right-of-way aquisition.
 9
             MR. PEHRSON: And you don't own the
10
   Right-of-way now?
11
             MS. PERKINS-SMITH:
                                 There is existing,
   what the roadway sits on now, but in order to do
12
   what Steve said, flattening the side slopes, you
13
   can see what the difference is between there and
14
15
   coming out to here.
16
             MR. PEHRSON:
                           How many feet are you
17
   talking about? How much additional land do you
18
   need?
19
            MS. PERKINS-SMITH: Do you want to read
20
   of numbers.
21
            MR. LONG: The existing Right-of-way
22
   width?
23
            MR. PEHRSON:
                           Outside of town.
24
            MR. LONG: Outside of town is about 60
25
   feet we are
                 finding.
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             MR. PEHRSON: So you would need another
 2
   40 feet?
             MR. LONG: Well, we need 60 feet for this
 3
   alternative, about 70 feet for this alternative
 4
 5
   and about 80 or 90 feet for this alternative and
   another 125 feet for this alternative.
 6
 7
            MR. PEHRSON: But all of those require
 8
   additional Right-of-way?
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            MR. LONG: Sometimes we won't need that
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   because it's already wide enough, so I'm just
11
   giving you an average. That number of feet times
12
   all those miles is about 250 acres for the
13
   two-lane up to about 440 acres of land for the
14
   Four-Lane Divided.
15
            MR. PEHRSON: And Four-Lane Undivided?
16
            MR. LONG: 440 acres. And I described
17
   this yesterday -- well, yesterday, Deb talked
18
   about it takes productive land out of the tax
19
   roles and of the agriculture just because it
20
   would now be within the Right-of-way. Those are
21
   impacts and we have noted those as a topic.
22
            MR. PEHRSON: Is that now figured from
23
   Chinook to Fort Belknap, or is that Havre to Fort
24
   Belknap?
25
            MR. LONG:
                        Havre to Fort Belknap.
                                                We
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have how many buildings would be needed, not in
 1
 ż
    Chinook, this is total and then there's
    subtracting the number in Chinook if it's outside
    Chinook. Most of those are in Chinook.
 4
             MS. PERKINS-SMITH: Are there any other
 5
    general corridor questions?
 6
 7
             MR. ANDERSON: Gary Anderson, Chinook.
    The additional going from the Two-Lane Improved to
 8
    the passing -- excuse me, that was ten additional
    feet going from one of them to the other?
10
11
             MR. HART:
                        To just add the passing lane,
12
    that adds another 12 feet for the one lane.
13
             MR. ANDERSON:
                            Then you go to the
14
    four-lane, it does what?
15
             MR. HART:
                        It adds another 12 feet.
16
             MR. ANDERSON:
                            So it's in your cost of
   73.4 million for the Two-lane Improved with
17
18
   Passing Lanes; is that right?
19
            MR. HART:
                       Yes.
20
            MR. ANDERSON: To a four-lane, 94.5
21
   million, most of that additional cost is when you
22
   pass through the town of Chinook you got the
23
   Right-of-way, to buy that additional 12 feet, but
24
   then as you pass through the town of Chinook,
25
   you're required to have that Right-of-way.
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1
   becomes very expensive then, right?
 2
            MR. HART:
                        Uh-huh, (affirmative).
 3
             MR. ANDERSON: And therefore, the cost
 4
   jumps up?
 5
            MR. LONG: As you can see those are for
 6
   -- they go up with the difference in cost.
 7
   Chinook is, the others work, is that additional
 8
   cost that we were kind of hugging against, some of
 9
   the banks for some of the excavation, and it's
10
   that last 12 feet that's really creating a lot
11
   more cut outside of Havre. So that gets a little
12
   bit more expensive, but I would say your statement
13
   is primarily true; that most of the additional
14
   cost is because of Chinook.
15
            MS. PERKINS-SMITH: Any other questions
16
   about the general corridor before we move onto
17
   Chinook?
18
            MR. GIBSON: Jason Gibson of Harlem.
19
   Back on some other meeting, I asked the question
20
   just on this state along -- that 94.5 million and
21
   73.4, I asked you to give us a price of what the
22
   four-lane would be if you necked down into Chinook
23
   and there wasn't that cost that was in there, was
24
   that ever done?
25
            MS. PERKINS-SMITH: I don't think we have
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it here tonight.
                    Can we hold that question until
 1
 2
   we get to Chinook?
                          That does show, since in red
             MR. GIBSON:
   there, if there is a large cost zone here, I was
 4
   curious what that is?
             MS. PERKINS-SMITH:
                                 It is the cost of the
 6
   entire corridor, because there are more buildings
 7
 8
   taken in other parts of corridor as well.
       Joe, could you just read off those numbers,
 Ò
10
   the relocations.
             MR. HART:
11
                        So within the Right-of-way,
12
   and in the two-lane alternative is basically
   around 11 or 12 relocations. By that I mean there
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   are houses or businesses that are impacted.
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   are in the Right-of-way where the highway is
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   going to be.
                 They are actually within the
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   construction limits of where the highway is going
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   to be, so they would have to be moved.
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            MR. GUTSON:
                         And that was how many?
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            MS. PERKINS-SMITH: 11 or 12.
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            MR. HART: So within Chinook, it was 3
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   businesses.
                 So 3 of those 11 were in Chinook.
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            MS. PERKINS-SMITH: When you get up to
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   the four-lane highway, it's 22 and 45, so 22 for
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   undivided highway, but 45 for divided highway.
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mean it's just that much wider through the entire corridor that you are getting a lot of impacts.

MR. HART: Of that, those were 8 and 14 businesses.

MS. PERKINS-SMITH: Let's move onto Chinook because then we can get all the comments onto the record, and it seems like we are moving that way in terms of comments. So hold your comment in case I forget. Okay. Ask us again.

Steve, you want to talk about Chinook.

MR. LONG: All right. In Chinook, we held a series of workshops to come up with alternatives and the alternatives that we looked at range from bypassing the Chinook area and even included rerouting the railroad. We came up with a broad range of alternatives and a lot those alternatives we brought to you, I believe last time or the time before, what we screened out and how we screened them out. What we ended up with was a letter from Chinook, correct, that says they did not want their town bypassed. Some of the other alternatives were screened out just because they weren't practical or feasible. What we ended up here was a set of alternatives that generally try to use the existing street. And then a final

1 alternative that just let's go for a Cadillac 2 version and see what the impacts of that would be. So we had a lot of time that we spent 3 4 evaluating the Chinook alternatives. 5 alternative that we looked at is in, I believe in 6 your handouts. It's called Existing Urban 7 Two-Lane and this is the one that we matched up 8 with the Improved Two-Lane alternative. 9 basically, this alternative just adds sidewalks 10 kind of to the existing template out there. It 11 straightens out a little jog in the alignment, I 12 think that you're all aware of, right around the 13 Dodge dealer and basically it keeps one lane in 14 each direction and puts a left-turn lane in at 15 Indiana, so vehicles can turn left here. however limit the parking in town. You're going 16 17 to see that parking that is on the highway today 18 is going to be limited under any scenario because 19 it is problematic. It doesn't create enough sight 20 distance to go around. So any alternative that we 21 have up here is going to be limiting parking. 22 Even if we show parking, it's going to have to be 23 fairly dramatically reduced from what it is today. 24 So there is a few parking opportunities on here in 25 a few key locations that we can still use, but it

is going to be reduced. So one lane in each direction and a turn lane onto Indiana, left-turn lane onto Indiana.

MS. PERKINS-SMITH: That's all within the existing Right-of-way; is that correct?

MR. LONG: We want to put sidewalks on.

So to get that sidewalk on, you know, there's some tweeks in there, but our goal was that it was all within the existing Right-of-way, yes.

The next alternative that was in your handout was Improved Two-Lane with Passing Lanes alternative, that is the Urban Two-Lane with Center Turn Lane. Basically, this is the same template that I just described except we are trying to maintain parking for the whole length of the corridor on the south side. Okay. And obviously, this takes some more space.

Now, all the alternatives are holding the north side of the roadway improving south because of that same problem that we had on the rural corridor, that the highway is so close to the railroad. Okay. So let me say that again, they all at least hold that north side. Our final alternative moves the whole highway, but we never get closer on the north side of the road, that's

why we have to build these to the south. So this alternative obviously is going to get into some property because we are looking at trying to get a little bit more out of it.

Here, we also have provided the left-turn lane, but we have made that left-turn lane not just at Indiana, but we made that continuous throughout the town. This looks something like you see in Havre that can be used to turn left on Indiana, but it can also be a lane to be used to turn into any of the other streets on the south side. Okay.

One that we matched up with the Four-Lane
Undivided and that is called Urban Four-Lane.
Okay. Now, this is basically just two lanes in each direction and we've provided parking with those two lanes in each direction. So now we have eliminated that continuous left-turn lane, but we still provide a left-turn lane at Indiana. Okay.
Again, more width, building from the same side and additional impacts to the properties on the south side.

Lastly, as I had mentioned, we said with this alternative we have impacted a lot of these

properties and when we met with the property owners, they made us realize that if you're going to go to all that trouble and take so many properties, why don't you just go and build it this wide. This wide is two lanes in each direction, a continuous left-turn lane and parking on each side. It's the whole thing.

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At the same time, well, we are tearing down all these buildings anyway, let's get some better separation from the railroad on Indiana, let's really improve the highway through there, and let's make that Indiana intersection even safer. So that's what the final alternative is.

With that, I'm going to have Joe go through impact analysis within Chinook.

MR. DEPRIEST: Frank DePriest, how far east and west out of town does this go?

MR. LONG: The alternatives that I'm calling Chinook, primarily starts at John Stevens Road and they go all the way over to Lodge Creek, and that's generally where the curb and gutters begin and end. That's what we are kind of considering the urban boundary. And as you can see, the alignment actually shifts through town there, so that's also the boundaries of the

transition of those curves.

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MR. HART: Okay. So you have this and this was at the sign in table, 11 by 17 version of this graphic. And very similar to the alternatives for the entire corridor, we looked at the alternatives through Chinook based on transportation criteria, as well as economic and social criteria, but very similar for the entire If we do nothing, it's an adverse corridor. impact and traffic continues to operate as it does today through Chinook. But with the improvements of the two lanes and then the four-lane alternatives, increasing benefit is obtained primarily because of the turn lanes and the offset with the railroad track that Steve had mentioned. But we did notice one thing and we called out the impacts to pedestrians and bicyclists having to cross the additional lanes at the most widened sections built through town. It's just a wider street to cross to get over to the north side of town and north side of the railroad tracks. we have identified, and you can see in this graphic some street features at Indiana that can help mitigate some of that, make it a safer identifiable crossing location.

But it is a greater distance and that might be an impact to pedestrians crossing the street and bicyclists, as more lanes of traffic are through town, if bicyclists were traveling through town.

MS. PERKINS-SMITH: Joe was saying we also looked at other factors as well. In terms of economic and social, we picked out what we thought were the ones that really was a difference among the alternatives. So this long list we did look at the ones we are presenting tonight, is really what the differences are.

In terms of land use, you'll notice that on your sheet the two-lane alternatives looks, your city will look pretty similar to what's out there today except you will probably have a more defined sidewalk and maybe some street scaping in some locations.

When you get to the four-lane alternatives, remember Steve was saying, a lot of the buildings that are right up against the roadway would be gone because the highway would be moving south into that location. Those buildings would be gone. So maybe one way to visualize that is on this alternative, with the four lanes, is think about what is mid block back and that's what you

would be seeing on the four-lane alternatives because the buildings in the front row there would be gone. So it's pretty much what you see there mid block going back.

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On this four-lane alternative that also has a center turn lane and parking on both sides and some, a lot more street scaping, what we call a tree, lawn. That's why we have this graphic over here that shows a prospective. There's a lot more vegetation and trees. The area that you have to acquire anyways, there is a lot of more street scape put into that area, instead of looking like you're going through a community with a lot of travel services, which is what is looks like today. It would be more of a landscaped area instead of a lot of businesses along that location.

So those are some differences, just something for you to think about. In terms of business impacts, parking would be different among the various alternatives, as Steve said. In the two-lane alternatives there are some places where some of the parking would be restricted or limited on US 2. There would be some places on US 2 where the parking would be limited or restricted and

that's to improve sight distance for safety but there would be parking on US 2.

On the four-lane alternative there would only be parking on the south side; is that correct, Steve?

MR. LONG: Yeah.

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MS. PERKINS-SMITH: Only parking on the south side --

MR. LONG: We got parking on both sides on that way one.

MS. PERKINS-SMITH: Okay. And then parking on both sides for the four-lane with center turn lane.

Business impacts: This comes down to how many operating businesses would be removed due to each of the alternatives. There, basically under the two-lane alternatives, there would be three operating businesses near Chinook, not exactly in Chinook, that could be impacted. And then actually when we get to the four-lane alternatives, the Four-Lane Undivided there are 8 operating business within Chinook that would be impacted and 14 for this four-lane section with the center turn lane. So, as we were saying earlier, you know, basically this whole front is

gone here in Chinook and that includes also going 1 2 out to DePriest at this end as well. 3 alternative with the four-lane alternative, would impact just a few of these along in the front, but 4 5 not necessarily all the businesses as we --6 That's a big thing to think about because if 7 those businesses are gone, those jobs are gone. 8 So it's -- and in addition to that, the services 9 may be gone if that business owner does not 10 relocate in Chinook, and that business is gone. 11 Just say a lot of your autobody, gasoline, 12 whatever, your automotive services, if those are 13 gone, you're going to have to go some place else 14 to get those services, whether it be Havre or 15 Harlem. So that's something to think about when 16 you're thinking about the alternatives as well. 17 Now, it could be that they do relocate within 18 some place else within the community of Chinook. 19 If you think about it, you already got something 20 in that mid block going back. They would either 21 have to buy someone out to relocate along US 2 or 22 go some place else within the city. 23 In terms of Environmental, there are several 24 cultural or historic resources. Jamieson Motors 25 and Pehrson's Exxon, as well the Bear Paw Motel,

are considered eligible for the National Register 1 2 of Historic Places and the four-lane alternative impacts both Pehrson's and Jamieson. And the 3 Four-Lane with the Center Turn Lane, this 4 5 alternative, only impacts the Bear Paw Sign; it 6 So that's does not impact the Bear Paw building. 7 something else. 8 This is a big issue, especially with HAZMAT: 9 property owners within Chinook. There are 11 10 HAZMAT sites. That means that they have 11 underground storage tanks that have been in the 12 past or are leaking. So that's a big concern. Ιf **1**3 you stay within the existing Right-of-way, such as 14 on the two-lane alternatives, it's not as bad 15 because it only means, unless something has leaked 16 into under the existing Right-of-way that's the 17 only time we are going to have an issue. Whereas 18 in the four-lane alternatives, both of these, you 19 actually are going to have to acquire the property 20 where those tanks are located. That's more 21 expensive. 22 If we can just hold questions for one more 23 I think that's in terms of the minute. 24 differences in Chinook and what I would like to do 25 right now is share with you MDT and FHWA preferred

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alternative and then we can open it up to
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               As I stated earlier, based on all of
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   questions.
   this information MDT and FHWA have come to a
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   preliminary conclusion in terms of what they
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   would recommend for an alternative and they have
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   different recommendations. FHWA, who has the
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   final say in terms of the Environmental Impact
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   Statement, their preferred alternative at this
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   point which is a preliminary recommendation, is
   for a Improved Two-Lane, an Improved Two-Lane with
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   Passing Lanes in the rural sections of the
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   corridor.
              They do not have a preference in
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   Chinook, so they do not come to any conclusions
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   within Chinook.
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       Now, the basis for their selection of that
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   alternative has to do with the cost, and they feel
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   that for the traffic operations and safety
   improvements that you're going to get, they want
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   to balance that against the environmental and
   social impacts, so they went with the Two-Lane
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   Improved with Passing Lanes.
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       Now, MDT on the other hand, has chosen a
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   four-lane alternative and they did not specify
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   which, either four-lane alternative, and that is
   because of Senate Bill 3, which directs the
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Department to construct a four-lane.

So, with that let's open it up to questions and answers. And just to remind everyone again, please state your name clearly and loudly for Stacy, so that we can get these comments on the record. And also, if you're not the type of person that likes to speak in front of everyone, you can write down your comments and leave them here with us, or send comments to us later on when we are done. You can come up and talk to us individually. Joe, Steve, and I will be here and you can talk to us individually and we will take that commend down.

MR. HART: Deb and I are going to summarize just generally, comments, and we did that last night in Havre so you can see what kind of comments were voiced last night.

MS. PERKINS-SMITH: I would also like to encourage you afterwards to come up and take a look at the graphics up here so that you can see the details better, as well as comments and if there is something that Joe's written down and it's not quite what you thought you were saying, please correct him because we carry these onto each of the public meetings. So this information

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Individual Comment Response Senator Ken [Introduction to Question and Answer Period by Debra Perkins-Smith [1] For the record, Senator Ken Hansen. I guess, I was pretty guiet last night and I listened Hansen and a lot of things came out in Havre, but one thing I guess I would like to point out, a couple and Joe Hart] of things actually. Economic Development: Don't get me wrong, I'm for that. I think it's very much needed in this area, but I think we are missing the boat here a little bit on the safety PERKINS-SMITH: So, with that let's open it up to questions and part of it. I want to stress the safety more than the economic at this point and the reason I answers. And just to remind everyone again, please state your name say that is because on the study that I had received last night, it was 1.51, I believe. clearly and loudly for Stacy, so that we can get these comments on the record. And also, if you're not the type of person that likes to speak in front of everyone, you can write down your comments and [2] To me numbers mean nothing. That number means nothing to me. As I drove home from Havre to Harlem, where I live, I look at the crosses on the highways. I own three of leave them here with us, or send comments to us later on when we are done. You can come up and talk to us individually. Joe. Steve. those crosses in this county. My family died, almost all of my family because of that. If there had been a four-lane or a turnout my wife, my mother-in-law and my daughter might be and I will be here and you can talk to us individually and we will take alive today. So that's very important to me. And we talked about the agricultural trucks that that commend down. are on this highway. This is an agricultural community. There's trucks on here. We have slow moving vehicles. We have vehicles from Fort Belknap to Havre that are trying to get to HART: Deb and I are going to summarize just generally, comments, the blue light special I guess. But I really believe that and I'm not trying to downplay the and we did that last night in Havre so you can see what kind of economic development part of it, but that's one issue that we need to really look at. comments were voiced last night.

and we did that last night in Havre so you can see what kind of comments were voiced last night.

PERKINS-SMITH: I would also like to encourage you afterwards to

come up and take a look at the graphics up here so that you can see the details better, as well as and if there is something that Joe's written down and it's not quite what you thought you were saying, please correct him because we carry these onto each of the public meetings. So this information will also travel with us to Harlem and Fort Belknap tomorrow. So with that.

PERKINS-SMITH: So, with that let's open it up to questions and answers.

[1] PERKINS-SMITH: In terms of the?

[2] PERKINS-SMITH: And I think, Steve, it's safe to say that all of these would improve safety over the existing conditions.

LONG: And meet current design standards from FHWA and MDT.

ADDITIONAL: Safety is one of the main goals of this project. All build alternatives would improve safety over the existing condition by providing wider shoulders, improved clear zones, flatter side slopes, greater separation from the railroad at priority crossings, and turn lanes where warranted.

Thank you for your comments.

2 Gary Anderson

- [1] Gary Anderson, Chinook. I have three questions. The Two-Lane, Urban Two-Lane with the Center Lane turn-out for passing, when looking at that over there, that picture that you have, this here, that's traveling from east to west with the sidewalks and the other area to the north, is that what that is?
- [2] (Nods head in the affirmative.)
- [3] Looking to the west, that's looking east.
- [4] I want to make sure I understand the design of how this is looking, or if we wanted to have some kind of landscaping on the north side that could be accomplished, if that be the wishes of the Department or whatever it would be, correct? I mean you're talking about some landscaping here on the four-lane. I'm referring to that, possibly if that would be an issue with people that could also take place there; is that correct?
- [5] With that highway design, it looks like that keeps us in the green and yellow all the way up there. If we had that going through the town of Chinook, from the nursing home out to DePriest, that would keep us in the green and yellow throughout, which would be something that is desirable to the project.
- [6] If that's the case, then how much of the 94.5 million would be lessened, I don't know if I like that word, reduced as a result of having that type of design going through Chinook? Do we have those kind of figures?
- [7] Two-lane with the center turn out.
- [8] It brings us from \$21.1million down \$5 million less approximately. I'm not trying to nail you down.
- [9] Somewhere around 16 million dollars to go with that type of design?
- [10] The design that's over there, if we use that design to go through the town of Chinook, from the nursing home to the DePriest, leave the rest of it four-lane, that will reduce it.
- [11] Thank you.

PERKINS-SMITH: One thing we mentioned, we had some ground rules at the last meeting. Since there is so many people, at 5 minutes, I'll ask you to wrap up your comments so that we can give everyone a chance to talk. And certainly, if there is more that you want to say, please come up and talk with us later. That's just in fairness to everyone else.

- [1] PERKINS-SMITH: Are you talking about these graphics here?
- [2] PERKINS-SMITH: That is traveling, that's like standing so that you're looking to the west.
- [3] HART: Is your question about the sidewalk.
- [4] PERKINS-SMITH: There could be some. In some places there are very narrow because the block faces of the building, so there is some opportunity to do some landscaping or streetscaping, but in some areas you're constrained because everything is also pretty much pinching in there, but you certainly could do some [landscaping] in some locations.
- [5] PERKINS-SMITH: Uh-huh, (affirmative).
- [6] LONG: In very rough terms, the problem here is we don't know the value of each individual business and we also don't know the impacts of the property. There is a lot of hazardous materials that might need to be cleaned up here, in the order of magnitude, to jump from two-lane into four-lane, we are talking --
- [7] PERKINS-SMITH: He's talking through town, four-lane outside.
- MR. LONG: Right. That's about estimated right now at about a 5 million dollars delta operation.
- [8] LONG: Approximately.
- [9] LONG: Approximately. Increase over the two-lane with the center lane capacity.
- [10] LONG: Yes. That's right. That is correct.
- [11] PERKINS-SMITH: That brings up a good point that I didn't mention and I should, is that MDT and FHWA, when they come up with a preferred alternative, it doesn't have to be an all or nothing. It doesn't have to be the same for every location in the corridor. You can mix and match. So you could do something in Chinook other than what you're doing in Harlem, or what you're doing in the rural corridor. So there is the opportunity to make different decisions for different locations in corridor.

No.	Individual	Comment	Response
3	Bob Dolezan	[1] Bob Dolezan. It looks to me whatever plan you go for, except for the existing two-lane, if we go to the two-lane with the turnouts, am I right in understanding, that we are going to lose all the parking on the highway on the north side?	[1] PERKINS-SMITH: In this alternative, which is the urban turn lane with the center turn lane, you lose the parking on the north side.
		[2] So on the south side, we are going to lose most of the parking on the south side also, right.	[2] LONG: Yes. Say at least half, just because of the sight distance problem.
		[3] So in my case, I depend a lot on the parking in front of my business. So even though we go with the two-lane with the turnouts, it's going to effect me dramatically, because the your right-of-way goes just about up to my front door anyway.	[3] PERKINS-SMITH: Which business are you?
			[4] PERKINS-SMITH: So under those alternatives, your property itself would probably not be impacted.
		[4] B and L Mechanics. No matter what you do is going to effect me one way or the another. I'm going to have to buy more property, which is really not feasible, or retire. So no matter what you do, I, me as a businessman, I'm between a rock and a hard spot. No matter what you do here, if I wanted to sell my business right now what do I tell a prospective buyer? What do you do? You're S.O.L.	[5] PERKINS-SMITH: We had listed you as one of those property owners that would be impacted [by the four-lane alternative].
		[5] The property would not be impacted, but the business would be impacted dramatically.	
4	Bob Sivertsen - Highway 2 Association	[1] Bob Sivertsen, Stacy. I have made a recommendation on the Chinook because that is, we know there's a lot of decisions we have made that are very difficult decisions, and you have just stated that you're concerned about your business. Frank is concerned about his business. I have made a recommendation that we, if we go for the four-lane highway, that we delay any construction in Chinook as long as we can. Let's go ahead and build that four-lane and in 15, 20 years everything may look a whole lot different. If we do nothing, some of these businesses around are not going to be here in 20 years, but if we can give you folks a little extra time in that, and we can do some more planning and work this out. We have made a lot of progress just in the last two years when we first started discussing these problems. Now people have come to reconcile and I think if we can just get a little more time, that we can resolve these differences and address you folks' problems and so, again, let's build the four-lane and let's leave Chinook until last. The lifetime construction period in the corridor, according to DOT was 25 years. We all know that to finish the corridor it's going to take a little longer than that, but we got time. But as Mick and I talked about it initially when we first got into this thing, about that possibility and from what I am hearing that, yes, we could do that. We could delay this within the city limits until we can come up with some answers, and I hope that becomes a matter of record and that's something that might satisfy.	ADDITIONAL: Thank you for your comments.
5	Frank Pehrson	[1] Frank Pehrson, Junior. Is it safe to say, you know, based on your expertise, that whatever happens in this 45 mile corridor is going to set the stage with what happens in the rest of Highway 2, going through the different towns, is likely to decide for us what's going to happen with the rest of Highway 2?	[1] PERKINS-SMITH: There's under the National Environmental Policy Act, NEPA. It's a process that we are going through for this, that is required for Federal funding and as part of that, it's almost like you have to come to it with an open mind and clean hands. Nothing is predetermined. So for any segments along US 2, they would have to go through the same process we are going through. And based on their issues, they may come up with a certain recommendation or solution. So what we do here is not necessarily what would be done in Malta or some place else. It will vary on a project-by-project basis, but what it does provide you, you can say this is what they did between Havre and Fort Belknap based on their issues there.

No.	Individual	Comment	Response
6	Evelyn Krause	[1] Evelyn Krause. I live in Havre. I missed the meeting last night. I have lived here between Harlem and Havre for my whole lifetime. I have traveled these roads. I have seen countless people that I know get killed on these roads and safety-wise, it is a hazard. There is no doubt about it. When I was young, there were jobs in Havre. When the interstates went in down in Billings, the southern part of Montana, north Montana dried up. Eddie's Bakery moved out. Coca Cola plant moved out. I could go on. Right now we have the railroad and service industry. Chinook is in the same stage, without this four-lane highway this area is going to dry up and blow away. Our kids can't hope to live here. Even my grandkids can't hope to live here because there are no jobs, because there's no chance of development when you have no decent roads and these roads are an abomination. We really need a four-lane highway. I don't care if it's divided, or just a yellow strip. We need the extra lanes to get the traffic through, to make it possible for the truckers to cover this part of this state, to make it possible to enjoy the trip. I drive a lot. I drive every year to Chicago, so I have hit all sorts of roads. There is not another state that I go through that has roads like this. They all have decent rest stops, which I can't say the same for Montana, it's pathetic. We should be ashamed.	ADDITIONAL: See responses from DEIS Comments to Comment 25 - Joni Arneson and Comment 51 - Heather Stein. Thank you for your comments.
7	Robert West - NPS	[1] Robert West. I'm with the National Parks Service here at Bear Paw Battlefield. As I have told many members of the community, the Park Service is not in the business of economic development. However, I think it should be noted that we are quickly approaching the building of a very small visitor facility, 16 miles south of Chinook. The facility is not being built with any increased visitorship in mind. It's more of a resource protection and enhancing the current visitor experience. We have really no vested interest in the outcome of this. With that said, I think it's important to look at, we have a sister park here in Montana, the Big Horn National Battlefield. They built a facility, opened their doors in about 1970, and had a visitorship of about 5,000 a year at that time. As of 2000, that facility was seeing 60,000 visitor per year and that's a very remote location. It will be up to the City of Chinook to determine how any increased traffic is routed from Chinook to the Battlefield. My sense right now is that would be, Indiana would be their preferred alternative, draw visitors to the community and to the businesses. So I think it's important to note over the next several years, we will likely see increased visitorship, and that will likely mean much more traffic going onto Indiana. At this time, we have plans for increased signage on Highway 2. That would likely take place just within the next few years. So just something to note for future traffic patterns.	[1] PERKINS-SMITH: We do like to take a look at what we call either cumulative impacts or also connected actions. So that's good information. Thank you.
8	Bob Dolezan	[1] Bob Dolezan. I didn't want to give the impression that I was against the four-lane. I am definitely for the four-lane. We need the four-lane. There is no doubt about this. What I meant to say, is why go to a two-lane turnout and neck it down, when the impact is going to be just about as great for most of us anyway as putting a four-lane straight through. That's what I don't understand, and I didn't mean to come off as saying that a four-lane wasn't needed. But if we put any highway through, if we have a four-lane through the rest of the state, that 44 mile link, it's going to have just about as much as impact on the businesses whether four-lane or two-lane.	ADDITIONAL: Impacts to existing businesses would be greater with the four-lane alternatives than with the two-lane alternatives as documented in Section 4.2.6.2, Business Displacement Impacts, of the FEIS.

[1] I'm Bill McCauley from the Cutbank and Glacier County. I will read this, as I get verbal diarrhea if I don't. The question continues why was the E.I.S. only done on the 45 mile area. We on Highway 2 want only what is due to us and we feel that now is the time. If it's not done now, it never will be. We here talk about where will the Federal monies come from. Let me ask these questions. Where did Federal money come from when I-15, from Boulder to Butte, as it did rather than going down 69, 55 and 41, through Whitehall to Dillon, as it should have.

At this time, where is all the money coming from to tear up almost every route in Great Falls all at once? Is the answer political pressure? And then ask where do these monies come from? I think the answer is very simple. There's no doubt that a Four-Lane Undivided highway is our request as of Glacier County and the City of Cutbank. And as the pun says, because it's the law.

I don't think we have the right to say what will happen in Chinook. That should be their decision. One thing about it, as I know in Cutbank, there could be the usage of empty buildings that have been left by the wayside because of the lack of the economic development that we see because of the way things are at this time, and could be a boom in one way. Because any more people do not have to sit right on the street to know exactly if signage is allowed, and I think that it should be within the city. And I think that one of the greatest things that can happen is that the engineering firm can only look at it from positive rather than negative comments that keep coming up and coming up and coming up. Thank you.

ADDITIONAL: See responses from DEIS Comments to Comment 51 - Heather Stein and Comment 46 - Bob Sivertsen (regarding the project area studied in the FEIS).

Thank you for your comments.

[1] Pam Harada, also from Havre, but I have had many contacts with Chinook. I have worked in Chinook, shopped in Chinook. We had a mother-in-law at the nursing home in Chinook. Although I'm speaking on a personal basis tonight, I speak from my background as 20 years as manager of the Job Service in Havre, that handles Hill and Blaine Counties, from 18 years on the Business Development Committee in Havre and on the tourism committee. I think the economic study, although I agreed that it should have studied the whole area, I think is also very much short-changed the benefits impact, even from Havre to Fort Belknap. I mentioned many things to the fellows that were there, and I don't think they pursued any of them.

One of the things I asked, that the studies in North Dakota that supported four lanes be presented or looked at and they said yes, and I saw none of that in their report.

I would say that the labor pool is one factor that businesses look at when they locate. I have addressed this question many times. If a business is looking in our area, and I will tell you that having four-lane benefits not only Havre if we have labor from Fort Belknap and Chinook, but also vice versa look at Chinook, when you were looking at having a private prison here. Where would a lot of those employees come from, but hopefully from Chinook. But also, you would have had to have a labor pool from Fort Belknap to Havre. The four-lane would have helped that. I have heard economic development folks from Fargo in North Dakota talk about how important the interstate was in getting labor pool. They even ran out of labor pool in Fargo, believe it or not.

I also believe that the study did not look at the MSU Northern. In fact, there is one that said MSU Northern did not contribute to the economic development in Havre, which I conclude these people didn't know anything about economic development in a rural area. They might know urban areas, but I do not think they understand or appreciate economic development in a rural area. Not only do more students benefit Northern, increase faculty and also those who can study from the rural areas, Fort Belknap can get their education in return and be able to live in communities. Havre is also a source of professional people, for example, Fort Belknap and the safety and the quickness of the travel is very important.

Tourism- I cannot tell you how much more tourism could improve for Chinook. You have such jewels. The Bear Paw Battlefield and I have toured the wildlife museum, even unfinished, that is a marvelous thing. I would tell you there would be much more tourism if it was four-lane. If we have conviction and meetings, and I tried to get people, I will tell you the safety and the community time is very important. You would have more business from Havre, if we could get them to Chinook more quickly.

I think your impact statement up there saying everything is negative on economic impact from a four-lane in Chinook is inaccurate. You don't look at what the benefits would be, for example, of increased tourism to Chinook and the economic benefits. You're only showing a negative benefit and I think that's very much inaccurate.

North Dakota- one reason North Dakota supported four lanes was it helped the viability of their smaller communities. They saw a way, if those communities did have their jobs dry up, they had a reasonable busier city in North Dakota return home, buy gas at home, have their schools at home and the cities have communities. In the mean time, you can work on the economic development of those communities.

So I know our time is short with you. I just want to say, I do not think that the economic benefits, even of just the four lanes in the 45 miles, were really adequately considered

ADDITIONAL: See reponses from DEIS Comments to Comment 20 - Job Service, Havre, Comment 51 - Heather Stein, and Comment 38, Item [1] - Marvin Presser, which provides information on the North Dakota EIS referenced here.

Thank you for your comment.

No. Individual Comment Response

whatsoever.

Comment

- 11 Bob Sivertsen -Highway 2 Association
- [1] Bob Sivertsen again. I'd like to ask for a little more time than five minutes because there is another side to the issue that you presented us, and I will not cover everything that we covered last night. I don't want to do that.
- [2] There's another side of this issue than what you have seen presented, and just to give you a little background, so you get a true picture of this, Senate Bill 3 was introduced in the 2001 session in the legislature by Senator Kitzenberg. He was at our meeting in Havre and would have loved to have been here tonight, but couldn't. The purpose of Senate Bill 3, when he introduced it, that directed the DOT to construct a four-lane highway in the Number 2 corridor, 666 miles. This is only the first phase of that.

In addition to the already 40 miles that we have, four lanes in the corridor, it also directs the DOT to seek funding for that four-lane, and sometimes that's not pointed out, but that's a very important point. We are going to be talking a little bit more about that.

The Highway 2 Association, and I have been involved as a CAC member since the inception of this and have worked very closely with everybody and we took exception to this study because they did not analyze the economic impact of four laning in the corridor. That's what Senate Bill 3 was all about in the corridor. We understand that they didn't have enough money to study the whole corridor, but we said that they should analyze the economic impact within the corridor.

ICF was hired by DEA and DEA was hired by DOT to do the E.I.S. ICF was to do the economic portion of that study. They refused to take and analyze the impact of four laning in the corridor and said we are just going to look at this. Well, folks anybody can tell you that a four-lane in a 45 mile area isn't going to do much for the economy and we all know that, but they refused to do that. They justified that by saying it was not in their role and scope to do that and that they did what they were directed to do in the agreement. David Evans has made the same claim, that they did everything that was within their role and scope. So I guess you point the finger at the president of the administration and the director of the DOT that's where the blame lies because we did not do what Senate Bill 3 dictated that we do. The figures that they are giving you are erroneous because if you believe in this corridor and you analyze the great resources that we have and the potential for economic development, it changes all of these figures. The benefit cost analysis that they use changes dramatically if you consider that. They like to have a value of one, meaning that if you spend a dollar to build a highway, you should get a dollar back in economic revenue to pay for that. If they would have analyzed the corridor, it would have came out much different than that.

But from day one, from the beginning of the hearing of Senate Bill 3, Dave told us, you folks along the Hi-Line should just be satisfied with an improved Number 2. He said we can't afford to build a four-lane on Number 2 because we have other projects in the State of Montana. We don't want to jeopardize them.

What he told you folks is, you're not important. You're second class citizens, if you live in the Highway 2 corridor. This idea has been prevalent throughout this study. There seems to be a mentality that I noticed with ICF and right on down, that says unless have you a robust economy, you don't need a four-lane highway. Which comes first? We say that unless you have a four-lane highway, you're not going to get economic development. We have been quoting a figure and nobody has contested it, but 80 percent of the businesses in the U.S. located in the proximity of communities that have a four-lane highway.

Now, just so you can visualize this, ask yourselves a question, if we do nothing -- take a look

- [1] PERKINS-SMITH: Let's do five minutes and if there are no more questions, you can have more than five minutes.
- [2] PERKINS-SMITH: I'll have to ask you to wrap up your comments.
- [3] PERKINS-SMITH: Any other comments tonight. In fact, I would really like to get comments on Chinook because that will help -- that is why MDT and FHWA are here. They want to hear people's concerns about what is happening in Chinook so they can take that into consideration as they go forward in terms of identifying preferred alternatives.

ADDITIONAL: See response from DEIS Comments to Comment 46 - Bob Sivertsen, Highway 2 Association.

This comment is similar to Havre Public Hearing Comment 2 - Bob Sivertsen, Highway 2 Association; Fort Belknap Public Hearing Comment 5 - Bob Sivertsen, Highway 2 Association; Harlem Public Hearing Comment 10 - Bob Sivertsen, Highway 2 Association.

at this map, this is Havre and Chinook right here. Do you see that black hole there? North Dakota is going to complete their four-lane by 2008 on Number 2. They are talking about going over there, that we if we do not want to take and build our four-lane, they want to go south either to Glendive or down to Bellfield. And with the four-lane, they are proposing to build a four-lane from Regina. This is all four-lane all the way across Number 1 up there at Indian, head on east of Regina is the only section left to Manitoba. That's just a two-lane, but when they do that, they are going to completely isolate us. We are going to be nothing but a big black hole. Do you want to stand for that? Highway 2 Association doesn't want to stand for that. We are working with Washington, Idaho, North Dakota. We haven't gotten to Minnesota yet, but we've got interest. The people in all those areas on Number 2 said we need a four-lane highway and we are working with it.

So because of our concern about this, we have taken great issue the way this study was done. The presentation that you saw here is a 2.7 million dollars presentation and it's flawed and it's incomplete, no if's, and's or but's about it.

[3] But the point I'm making, folks, is that we have spent all of that money. That E.I.S. study did not do what it was supposed to do, so then they took another study and called it a reconfiguration study. That was done by Cambridge Systematics and they are citing them to support what came out of the E.I.S. Cambridge Systematics came into this whole thing with a bias. They were quoted in the paper earlier on, that for us to build a four-lane highway along the highway was nonsense. It wouldn't do us any good. So that's why it's flawed and incomplete. And folks, I hoped I'd have an opportunity to go a little bit more into this. I think you need to understand where we are at and then some of the recommendations that we're making to make this thing whole again.

12 Freida Brysen -City Council [1] Freida Brysen, Chinook City Council. And I'm on the highway a lot and especially earlier morning and then late evening, where there is traffic. There is no way you can get around and it's almost bumper to bumper. If you're traveling at night and there are deer out there, and this bumper to bumper highway, it just makes it rather treacherous to travel. As for a four-lane highway all the way to North Dakota, I'm very much in favor of that because we need it so desperately all the way across the State of Montana.

It's one of the things that is going to help this area, and this area is just as beautiful, if not more so, with things that have happened in state, historical things. A year ago last Fall, I was on the train and coming back from Washington and on my way back. You got to Glacier Park and some young man, said, "Oh, there is nothing but prairie out there." It made me mad and I decided, by golly what is out there, all the way across the Hi-Line from Glacier Park to Malta, I explained what was there. When I went to get off the train in Havre, the conductor said Mrs. Brysen, if you want to volunteer and get on the train in Williston, North Dakota and tell them all the way across what we have in Montana, You'll get a place to eat and a place to sleep, you just come and entertain these people so they know what's here. It's a beautiful area and it needs to be opened up.

[1] PERKINS-SMITH: Any other comments?

ADDITIONAL: Thank you for your comments.

13 Gary Anderson

[1] Gary Anderson, Chinook. I would like to address my comments mostly on safety, mostly from a standpoint of the ambulance services in Blaine County. But I think that some of my comments would also refer to the basic driver driving down the road. I have been with Blaine County Ambulance Service for 27 years. We have in this county eight ambulances, two in Chinook, one in Harlem, one in Turner, three on Fort Belknap and one at Hayes. Did I mention Harlem one, yeah. They are on the road quite often. You'll see numerous times where there are two and three ambulances going down the highway. We are seeing one another. There are times when there are more.

One of the facts, I think people do not realize is that red lights and siren do not automatically give us the right-of-way. It's a request for a right-of-way, and if a motorist deems it unnecessary to give us that request, then we have to comply just like any other motorist and hold back. That creates at times some very difficult situations. We have, we are noticing and I think you people all notice the same thing, some changes in driving attitudes and some ignorance out there. We find a lot of times people who are speeding up as we attempt to pass. I think some of that is done subconsciously. Therefore, it does require a longer distance to pass those people.

We are also finding that the on-coming traffic is not slowing down. I question if sometimes they aren't going faster. They are not slowing down when they approach us. Therefore, again, it requires longer or greater distances for passing. As you all know, I hear 5,000 cars a day from the highway patrol, down to I think 3 or 4,000 a day, was mentioned up in Havre.

There are numerous other things that happen out there that are unbelievable at the time they are happening for us. One of them that we have seen occasionally, not a lot, but people stopping right in the driving lane. They see the red lights and siren, using red lights and sirens in itself creates a hazard. We are well aware of that. It doesn't automatically make a clear way for us.

Okay. I think that what we need, therefore we feel, especially in the rural areas where speeds are greater, is a four-lane highway to alleviate some of these problems that we are dealing with, with attitude and with ignorance.

My last part of this is that we have in the town of Chinook, as they do in Havre, in Chinook we start out with a reduced speed of 55 miles an hour. I believe at DePreist's -- no, it's a little bit before you get to DePreist's place and coming in from the west at the nursing home, and it slows down to 45 and then 30. My thinking here is that, we are not like 10th Avenue South, while they do have a 30 miles an hour speed limit on their four-lane, I don't think we need a four-lane going through Chinook, where we are reducing down to our speeds of 30 miles an hour. Therefore, some type of two-lane, which would be beneficial to both the business people and so on, I'm very much in favor of the four-lane in rural areas and twolane going through the business areas where it would work out, both for safety and so on. I know this is sour thing to say, but you know I noticed over the years that we have had highway projects that have been undertaken in which cost is not a factor. And the gentleman at the back related one of them was Butte, Montana. The final cost on that figure was three to four times what it should have been, had they taken alternatives routes that were suggested and so on. What it is, is politics people, and we have to live with politics. There is good and there is bad politics, but every single bureaucracy department has to live with it too and they have to work it.

They have no choice. They either do what they are told from up above or they find a new job. That's the bottom line. So, therefore, again I'm for a four-lane highway in the rural

ADDITIONAL: All alternatives will improve the roadway to provide a 2.4 m (8 ft) shoulder. The improved shoulder would provide an area for drivers to pull over to allow emergency vehicles to pass.

Thank you for your comments.

No.	Individual	Comment	Response
		areas and a two-lane in those areas where it would be both economical and also that would keep us out of those red areas, taking note of the social and the economic, environmental. Yeah, and it seems like the two-lane, either way that you want to go there, would do that job. Thank you.	
14	Frank La Tray	[1] My name is Frank La Tray. I live in Chinook. I was going to talk about a four-lane going through Chinook. I used to work for the Burlington Northern and I went up and down the highway quite a bit, but I remember one year when they started talking about widening the streets through the highway through Wolfpoint, Montana, there was a little two-lane, looked much like this one out here. Businesses on both sides. And I really couldn't see how they were going to widen it. But today I have gone back through there in the last few years and the highway done is the four-lane through there is all done, and it sure improved that town. It made it look a lot different and took away a lot of shabby looking buildings. People get through there a lot faster now. And the same up there in Belt, Montana. When they first start talking about the looks of Belt, Montana. I think the four-lane looks good like there and I think it would help Chinook also get rid of some buildings and put some new buildings in. I like the trees, the way they look on that map.	ADDITIONAL: Thank you for your comments.
15	Max Maddox	[1] Max Maddox, I live just east of town and we farm northwest of town. So I drive on the highway everyday. I travel to Havre a lot for business. I also travel to Helena once in a while to be involved in the political process and I see several faces here today that were down and lobbied in support of Senate Bill 3. I feel that Senate Bill 3 was ignored by our State Department of Transportation and eluding to Gary's comments about politics, I don't want you people that are here tonight that to take offense of what I say, because you're just doing your job. But I feel that the Montana Department of Transportation did not do their duty when they did this 45 miles study. They picked the most expensive 45 miles between Glacier Park and North Dakota. And by doing that and only showing that, without showing a complete four-way system, they knew that it wouldn't meet the economic criteria and I feel that's wrong. And Montana Department of Transportation should be working for Montana. And this would be good for Montana.	ADDITIONAL: See responses from DEIS Comments to Comment 43 - Gloria Mason and Comment 16 - Cooper/Highway 2 Association for information on study area limits.
		Safety, it's not unusual to go to Havre and coming or going, you might go five, six maybe ten miles and on occasion I have traveled the whole distance, and been relegated to the speed of a truck, because you can't get around it.	
		The White crosses have been brought up. My family has one of those. I think we need a four-lane, and as I said at the Chinook meeting the other night, I think this section needs to be a model four-lane, because when it's all done, this will again become a bottleneck if we don't do it right the first time. Thank you.	
16	Steve Parson	[1] Steve Parson. I live two miles west of town and when I travel west on this two-lane highway, when I go to turn left, to go into my yard. When I turn on my blinker to do this, the car behind me, the first guy will stop but maybe the third or fourth car back thinks this guy is too slow and he'll go out around. And this has happened a number of times to me and my family, to where we've almost been hit or we could have suffered the consequences. So we really do need a four-lane highway so that if we are over here at least they can get around us, because people's driving habits have changed a lot now.	[1] PERKINS-SMITH: Thank you for your comments. ADDITIONAL: As part of the preferred alternative, a westbound passing lane will be constructed west of Chinook and will end prior to this location. That additional lane should relieve the demand for passing just prior to this driveway location.

No.	Individual	Comment	Response
17	Lois Butcher	[1] Lois Butcher, Chinook. In my 57 adult years living hear in Chinook, there's been talk of widening or improving or making four lanes on this highway, and it just seems like it's way past time. Who knows what the benefits would have been, if 40 years ago we had got our highway up here to bring the traffic. It's just such a natural route it seems like to the park east and west and safety is certainly an issue. I have two dear family members who were killed because of the highway and a dear friend. And I think Chinook could I have people who come from Colorado who say what a pretty place Chinook is. It's a beautiful little town. I think we spent four hours one time driving around Chinook and Zurich. Looking at all we have to offer. And I really think it's our turn.	[1] PERKINS-SMITH: Thank you.
		I was amazed in the Great Falls Tribune question of the day as to whether Highway 2 should be four lanes and what they quoted was somebody said, no, it should be from Great Falls to Billings. Well, of course that's where it's always gone. I think we have something to offer and I think we should have some of the benefits.	
18	Jim Wharburton	[1] Jim Warburton. I live to the east of Chinook here. I'm going to go down as going two for two is what I'm going to say.	[1] PERKINS-SMITH: Thank you, sir.
		Because I feel that an Improved Two-Lane would meet the safety for here and I don't want the community to be a big boom and turn into a Billings. I like my small community and I don't want it to be turning into a metropolis like the rest of the country. If everybody wants the big boom, go to where the money is. I would just assume it stay the way it is.	

19 Bob Sivertsen -Highway 2 Association/ Hal Cooper - Highway 2 Association Consultant [1] Bob Sivertsen. Next I was going to get into this, but I would like to take and say one of the recommendations that we made last night was to, I think that the ICF economic reports serves no purpose. It's flawed. It's incomplete. That should be stricken from the E.I.S. and we would like to incorporate into that, the Cooper Report, of which we commissioned, the Highway 2 Association commissioned to have done. And I would like to introduce Hal Cooper from Kirkland, Washington, from Cooper Consulting. And he has done a tremendous amount of work in this document right here and the difference between this and the E.I.S., is there is facts and figures in here that Federal Highways can look at and they say that's what they want. And we think that that's a basis for sound decision making. So have at it.

[2] Hal Cooper. I want to acknowledge Delores Plumage. She gave me some pointage. There are some changes in my report on Pages 19 and 21, Tables 2 and 3. We have the Blackfeet Reservation are the Blackfeet. On the Rocky Boys, we have Chippewa Cree. On Fort Belknap we have Assiniboine and Gros Ventre and on Fort Peck we have Assiniboine and Sioux.

In the revised documents, which we are going to be submitting to Stacy, I will have those corrections made, plus some other minor corrections.

Bob, thank you for the very gracious introduction. The Highway 2 Corridor Association commissioned me to prepare an economic development plan and a critique of the documents, of the Environmental Impact Statement that's related to the economy. I proposed that expansion of this corridor as an energy and industrial development corridor and I proposed that we have coal and wind power generation. That we have an electric transmission corridor taking energy from Montana, North Dakota and shipping it out to the west coast, to the states in Washington, Oregon, and California. And that we incorporated valued agricultural developing and manufacturing and that the State of Montana and North Dakota, the State of South Dakota and Wyoming, work with the problems of Saskatchewan and the problems with Alberta on energy development as the future center for north American.

We are spending more money for the military when we should be spending it here on the Northern tier. I proposed and looked at a Four-Lane Undivided highway, a double track railroad line and an expanded electrical transmission corridor. I did an analysis of the Environmental Impact Study, and came to several conclusions. The traffic growth rates that are assumed, basically assume continuation of the status quo, which is on a gradual economic decline and that's not right. It's right if we make it right, but it isn't right and it's certainly not beneficial to this area.

The truck operating cost data, which there is really not very much, underestimates the savings. A truck from Winnipeg to Seattle taking Interstate 90, 94 and 29 was probably \$129, per truck trip there. We have one mountain pass across Montana to go through on US 2, as compared to three, if we go on the freeway and that became very painfully apparent to me the first time I drove over here in the November of 2002. There is two to four hours in truck transit time.

There isn't enough specific information on demographics, employment and population data, and not a sufficient determination of how those factors are going to affect traffic growth in the future and there should be. There is no specific economic development scenario presented, other than a continuation of the status quo. And we need to look at energy and industrial and agricultural development in this corridor.

[1] PERKINS-SMITH: Any other comments tonight?

ADDITIONAL: See response from DEIS Comments to Comment 16, Items [1-6] - Cooper/Highway 2 Association.

Thank you for your comments.

Most importantly this report does not show the potential impacts upon the Indian reservation. In this corridor, there are four of them and they are going to increase substantially in population in the future. This fact is given minimal credence in any of these documents and it should not be. Fort Belknap reservation here most immediate to this area, but all four are effected. There is a vital flaw, if we only look at the 45 miles section from Havre to Fort Belknap, instead of the 666 mile section. We miss a lot of things including the mountain passes.

Now, I want to make just some final points. The wide expansion of US 2, from two to four lanes by itself isn't going to bring economic development, but it makes it possible to bring economic development. It's not possible without it. Without expanding the corridor from two to four lanes it's not going to be possible to have economic development across Northern Montana and decline will continue. And that we have to be very much aware of because the Indian tribes are a responsibility of our Federal Government. It should be very much apart of this study. The expansion of the corridor is going to be essential for future industrial, especially emergency development across the northern tier.

Why did the state of North Dakota expand from two to four lanes? So they could expand energy, coal, oil and gas. We have lots of it here. We need to develop it. Sure better than importing oil from Saudi Arabia, don't have to kill lots of people to do that. What do we need for the future? A four-lane, a double track railroad, and we need a major electric transmission corridor. And I realize it's not part of this process, but there needs to be a completed categorization by the State of Montana, of what the real energy resources are along this corridor, coal, oil and natural gas and I would suggest after the new governor of Montana, after that person takes office, that that governor invite the Governor of North Dakota, Premier of Saskatchewan and Premier in Alberta, right hear in the State of Montana, right here on Highway 2 for an energy conference. Thank you.

20 Pam Harada

[1] If there isn't anybody else, I frankly don't want to be a Billings either. I really don't. My husband will tell you, I can't stand being around a lot of people shopping and all of that. The problem is, if we don't grow, we die. I used to live in Havre. When I grew up Havre was 12,000 people. It's 9,000 some now. I see Havre becoming more like a Chinook, Chinook like Lohman, if you don't grow, you die. I agree, I don't want to be a Billings, but I don't want these communities up here to die and I don't want the future of our children to die either.

I also think on this report, I don't think demographics. It states from Fort Belknap to Chinook, based on the demographic, Fort Belknap people come to Havre. I do not understand why this study does not talk about increased traffic all the way to Havre and --

[1] PERKINS-SMITH: Let me have Joe respond to that.

MR. HART: Not to debate those, but we have heard several times last night that we have not projected any traffic growths and what you said, we do expect higher growths to the east of Chinook because of the Indian population increases, So it recognizes that. But over the 20-year projected travel, our analysis period, we anticipated over 30 percent growth in traffic between Chinook and Havre, and up to 60 percent in growth of traffic between Chinook and Fort Belknap.

So those existing travel volumes of about 2,500 vehicles a day would grow to over, up to about 4,000 vehicles today on the stretch between here and Fort Belknap, so we have anticipated that. That's not just through traffic growing, but that's as a result of the communities growing by 30 to 60 percent over that 20-year time frame and that's an aggressive growth compared to what's happened over the last few years where it has actually been declining in population and traffic volumes have decreased. What we anticipate is not only just, you know, improving that decline, but reversing that and increasing it to one to two percent growth per year over those years which result in that 30 to 60 percent. We are anticipating quite a bit of increased travel.

No.	Individual	Comment	Response
21	Frank Pehrson	[1] Is your projected traffic Frank Pehrson of the two-lane road or the four-lane road?	[1] HART: It was regardless of what kind of road it was.
		[2] In other words, you're saying that a four-lane road will not increase the traffic? [3] Can you tell me what the projected traffic growth is between Glendive and Miles City.	[2] HART: Not a four-lane alone. Just for these 45 miles, we were only looking at just the 45 miles that we addressed.
			, , ,
			[3] HART: No, I don't have that. It's declined locally. It was [not] in our part of study [area].
22	Jay Harwood	In addition, on two occasions since I lived hear in five years, I have narrowly missed getting into an accident because the Montana Highway Patrol stopped a vehicle in a traffic lane and I was in a situation where I nearly run off the road to avoid an accident. If have from the safety stunfortunate. I think we all have that responsibility to correct that problem.	[1] PERKINS-SMITH: That brings up a good point. That's something we talked about last night that I should share with you that we didn't go into detail tonight on, is the funding for this project.
			You heard about Senate Bill 3. As part of that Bill, it actually says that you cannot use state funds for the project, and you cannot use funds that have already been allocated for another highway. You cannot use the Federal funds that have already been allocated to use on another highway. This basically requires you to find another funding source, such as a special set aside from the Federal government and that's all part of Senate Bill 3. So as part of evaluation, in terms of looking at Senate Bill 3 and funding, and we discussed this last night, a two-lane alternative can go through your normal process and obtain funding the way you do any other highway project, So it's more likely or more certain to happen and to happen sooner. The four-lane alternatives, according to Senate Bill 3, it restricts the type of funding you can get and as of today, there is no funding available through those sources. So maybe it's less likely and it would take longer to actually obtain that type of funding. So that was something that was a concern or it was part of FHWA's consideration when they were looking in evaluating the alternatives. I thought I would just share that since people had that information.
			ADDITIONAL: All alternatives would provide safety improvements, including a 2.4 m (8 ft) should, which would allow law enforcement to pull over drivers out of the travel lane.
			Thank you for your comments.
23	Eva Oxarart	[1] Eva Oxarart from Malta, Montana. When they took the census, they didn't put into it anything about any of us farmers and ranchers in there because there was so few of us they didn't even put us on the census so that's why there is none on it.	ADDITIONAL: Thank you for your comments.

24 Delores Plumage - CAC [1] Delores Plumage, Blaine County. On the economics and the politics, I'm on another committee for water that's just as important as the highway. Governor Martz and the state representatives are really advocating for that project and they are finding the money to supplement the need here. There is a difference the way this project is being treated and right now, the citizens here are looking at this huge deficit of what they, of the need, and I believe it's still possible with changes politically to get some more support and to get that funding. I believe it's possible.

The other thing I want to say is that originally, I'm from Flathead. I've seen a lot of testimony for Highway 93 that they had two-lane improved. There were many accidents between Polson, Pablo, when their passing lane and they are trying to get off. They get hit right in the middle and so even with the Improved Two-Lane, a lot of accidents. I am for the four-lane. I drive everyday between here and Fort Belknap, have to go to meetings up the line; it's very hazardous and there is all kinds of obstacles even with, I mean ambulances and emergency vehicles, police cars on the side and they just don't give you a lot of room.

For the town of Chinook, I think I really emphasize and have sympathy with the town because it is a nice looking drawing of the landscape, but the businesses that are here now, I mean, economics mean the dollars for your businesses. To lose that would be a tremendous loss in the community, So I agree with Bob that I think to look at the construction of the highway on either side and let Chinook have more time to figure out what they are going to do. I think it's going to because it's going to impact this town. So I just wanted to say that.

I also have worked with SADD. I didn't seat with the original group. I have worked with this group here and they have been very thorough too. I feel like they have been given a job. They presented the facts. They have given us a lot of foundation. We just have to keep pushing and push those legislators in the State and there is an election coming up and I think the needs of the eastern part -- I got an e-mail from DOT, or from your group, because in my written statement, I stated that the eastern part of the state has been neglected and my response was that, you know, we only comprise so much percentage of the population, and that Glendive got like 20 percent of the attention for their highway projects. That response was not acceptable to me because that's Glendive. Our area, our surrounding area, has still been neglected and we are still waiting for major improvements here and is it our time. We have been waiting a long time to have some changes here.

25 Bob Sivertsen -Highway 2 Association [1] Bob Sivertsen, the funding issue is something you put far too simply. That is another continuous issue.

It appears that the way you're stating that in this E.I.S. is that you're using it as another basis for not recommending a four-lane highway. The funding of this whole project is part two of the project. It isn't even something that you folks should consider or state, that funding for two-lane improved is more certain than the funding for a Four-Lane Divided or undivided. That is part two and it states it right in Senate Bill 3, that the DOT will seek funding for 4 for 2; That is part two. It is not a part of this, and Federal highways, I have asked them to strike that from their preference which they use when they have a preference in an improved Number 2. They state in that preference that funding for four-lane is uncertain. It seems to me they are using that as an excuse for not going for the four-lane. I have asked that it be stricken. They refused to do it. DEA refuses to strike any reference to that, and I think what you're doing is creating a false image here and I really ask you to search that out and to strike any reference. We'll handle that once we get the preferred alternative and I would like to see that happen.

ADDITIONAL: Thank you for your comments.

[1] PERKINS-SMITH: It's 8 o'clock. We are going to try to wrap up shortly. I also want to highlight that Steve, Joe, and I will be around if some of you didn't like to speak publicly and you want to talk individually and we will take down your comments, or you can mail it back to MDT; the address is on there. There's a web site or you can also speak with Stacy and she will transcribe your comments directly tonight. With that, I'll take a few more questions.

ADDITIONAL: This comment is similar to Havre Public Hearing Comment 9, Item [5] - Bob Sivertsen. See additional response to that comment.

Individual	Comment	Response
Max Maddox	[1] Max Maddox again on the funding. In listening to your comments, it seems like you're real anxious to spend most of a hundred million dollars for an Improved Two-Lane, and yet there is another 20 million dollars or so to go four-lane. I find that a little odd and if that's the problem, we got a legislature year coming around and we can take that up. That's all I have to say.	ADDITIONAL: The alternatives range in cost from \$69.7 million for the Improved Two-Lane Alternative and \$73.4 million for the Improved Two-Lane with Passing Lanes Alternative and \$94.5 million to \$106.8 million for the four-lane alternatives.
		Thank you for your comment.
Faye Seel	[1] My name is Faye Seel. I was wondering how we can actually help do something to get this moving?	[1] PERKINS-SMITH: I'm sure you can talk with a lot of your neighbors.
Bob Watkins	[1] One hazard that hasn't been mentioned is all these darn [deer], Bob Watkins, they are hard to see and they are really a risk.	ADDITIONAL: Thank you for your comment.
Bob McCauley	[1] This is not a question, but an invitation. I have a 1982 Chevrolet truck with no air conditioning. I would have liked if any one of you people to join me in Cutbank and I will take you to Beach, North Dakota and see if you still have the same feeling about Highway 2 when we get there.	ADDITIONAL: Thank you for your comment.
Freida Brysen	[1] I worked with the North Central Resource Conservation yesterday and we had to get Jerry Smith, who went together with the railroad, with the State and everybody and had everything set up for Import authority. And this would bring in truckers from all across the State and they would be trucking northeast, southwest. The Montana Department of Transportation is the one that put the Kabosh to that.	ADDITIONAL: Thank you for your comments.
	It would have brought in a lot of money into that area and probably spread out throughout the rest of the state. I was really looking forward to this because there is a lot of truckers in our area that need jobs. They would be bringing the traffic and the trucking through our area, and jobs to me are very important.	
Gary Anderson	[1] Gary Anderson. I think right now we are talking about funding and we have a very prime — we are at a very prime point in that with our senior senators. We have two powerful senators in Washington, DC and they are doing our water project, working with us there. And I'm sure that they would do the same thing with the Highway 2 situation. One other comment, I haven't been involved with this too much, but in the last couple weeks, I have taken quite an interest in it. Today, I went around to try to get people to come and make their comments. They don't have to agree with me, and in doing so, I made some comments about, I was kind of in favor of a four-lane highway out in the rural areas. I heard it before numerous times and I heard it again today, well, there's no chance of us having that because of the Montana Department of Transportation. They voted against it. They said they will not come up with the money, so let's get an Improved Two-Lane. So they have already frightened out, scared out people into that kind of thinking. Now their thought is we've got to get an Improved Two-Lane and then we can dodge out onto the right and left onto the shoulder, to get away from much of these traffic things. So these people that made those comments to me are not here, but they are comments that are being made to me.	ADDITIONAL: The wording for Montana 2001 Senate Bill 3 is included in Section 3.2.1 of the FEIS. As stated in this legislation, "the department shall seek additional federal funding that does not require a state funding match", therefore, state funds cannot be used to construct a four-lane highway on US 2. Thank you for your comments.
	Max Maddox Faye Seel Bob Watkins Bob McCauley Freida Brysen	Max Maddox [1] Max Maddox again on the funding. In listening to your comments, it seems like you're real anxious to spend most of a hundred million dollars for an Improved Two-Lane, and yet there is another 20 million dollars or so to go four-lane. I find that a little odd and if that's the problem, we got a legislature year coming around and we can take that up. That's all I have to say. Faye Seel

No. Individual **Comment** Response Frank La Tray ADDITIONAL: Thank you for your comments. 32 [1] Frank La Tray. Just a few about, there was talk about businesses on Highway 2. There wouldn't be no Chinook to worry about our businesses anymore, they'll be all dried up. [1] PERKINS-SMITH: We anticipate that everything, all the way through the Record of Decision should happen by the end of year, if everything goes smoothly, according to schedule. We will be getting back to people and letting them know where we are in the process. So with that, I would like to break tonight and also invite you tomorrow night same time in Harlem and at 11:30 at Fort Belknap for lunch, if you're interested. And with that, I'm going to get something to write with and Joe and Steve are available too. Again, I appreciate you for coming tonight. I know a couple of you had some questions. Come please, speak with us. (Proceedings concluded)

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5	PUBLIC HEARING
6	US HIGHWAY 2, HAVRE TO FORT BELKNAP
7	HARLEM, MONTANA
8	JULY 15, 2004
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13	SPEAKERS:
14	From the Firm of David Evans and Associates
15	DEBRA PERKINS-SMITH, Project Manager
16	JOE HART, Traffic Engineer
17	SIEVE LONG, Highway Engineer
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22	Stacy M. Ellery
23	Registered Professional Reporter
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PROCEEDINGS

MR. JOHNSON: Let me tell you, first of all, my name is Mick Johnson. I'm a District Administrator for the Montana Department of Transportation. I'm responsible for the oversight of tonight's meetings. We are holding what is our fourth meeting out of four, to talk about the Draft Environmental Impact Statement on US 2 from Havre to Fort Belknap. I want to introduce you to this study. Before I do that, I was just going to say a couple of things and clarify a couple of items.

First of all, MDT is here with us tonight and the Federal Highway Administration, and to this effort, we have assigned some of the finest members of those agencies that we could because we wanted to ensure that this project was going to be completed in the most expeditious manner that we could. At this point, I've worked on many many E.I.S, more than I care to mention, but this is probably one of the fastest we have ever gone through. We also wanted to make sure that we considered all of the needs of the corridor. So that's why we are here tonight and we want to make sure that everything that we have put in that

document are the needs that this area has. We want to hear your concerns about that. We also wanted to make sure that ultimately we end up with a document that will sustain any legal challenges that may occur, and that we end up with a document that provides us with a highway that we can build.

So, we came up here to do a job. We assembled some of the top staff in both agencies to do that, and we have no hidden agenda. So to clarify that, the top staff is here tonight.

Consultant Design Engineer Karl Helvik is over here by the wall. He's our lead for the agency on the project. Comments that are made after tonight, you will send in and they will be taken care of by Karl. He directs copies to all the rest of us.

From the Federal Highway Administration, we have Ted Burch. He is the Operations Engineer for the Federal Highway Administration. We have Dale Paulson; Dale is the Project Development Engineer. He is also a native from Havre, so Dale has a little bit of interest up here. These are two of the top level officials from the Federal Highway Administration. Both agencies put those people together.

We also have one of the top consulting agencies to do this study. We did not take that lightly. We believed that we needed an environmental engineer that would do us a good job- David Evans and Associates is that group. They are here with us tonight. They have not only taken on this project, but we requested and they assigned some of their best people to it, so I assure you some of the people that are here are the best that we could find in the country and the best that this firm has to offer.

Debra Perkins-Smith, she's a vice president and head of environmental for David Evans and Associates. This firm is a firm out of Denver. She is here with her team.

Joe Hart- Joe is a traffic engineer for David Evans and Associates. He's the Vice President of Transportation and an expert in traffic engineering and Joe is a welcome part of the team.

Steve Long- Steve is a Civil Engineer, an outstanding expert in road redesign and configuration. Those people are here tonight to go over this process and to listen to your concerns.

Before I go on, I would introduce to you a State Senator that is here with us again tonight. Senator Hansen has been there at every meeting. He's been to every meeting, which is appreciated.

SENATOR HANSEN: I have heard it so much I could say it.

MR. JOHNSON: And so we thank him and I just wanted to point that out. Thank you. And with that, I will turn the meeting over to Debra and she can start us off here tonight.

MS. PERKINS-SMITH: Well, thank you for coming tonight. I know it's a hot one. I just wanted to let you all know we got a cooler with hopefully cool or cold drinks over there and some food so please, please at any point, help yourself. I also wanted to ask that all of you make sure that you signed in. If you didn't, please sign in on your way out because that will help us and that will help Stacy. She is actually transcribing all of the public meetings that we are having this week and that will help her in terms of getting your names correct later in our question/answer period.

To start this project, US 2, Havre to

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Fort Belknap, starts at the, in the west, starts at Havre just outside of town at the end of the curb and gutter section there in Havre and it goes all the way through Harlem to Fort Belknap to Montana 66 intersection and transitions right through that intersection. So our study is looking at that entire corridor in the communities in between Lohman and Chinook, Zurich, Harlem and into Fort Belknap. In order to get comments, we have actually started earlier this week, we started in Havre on Tuesday night. Wednesday night we were in Chinook and at lunch time, we were at Fort Belknap today. So just to let you know, behind you on the wall, we brought all the comments that we took down from those meetings. We wanted to share with you comments that people have made at the other meetings, so take a look at those and see what other people have been saying. A little bit in terms of the status on

A little bit in terms of the status on the project, we started about two years ago and I see some familiar faces here. We started with some meetings and talked about what are some of the issues, what are some of the problems in the corridor that we need to address as part of this study. We carried those on through and addressed

those by development alternatives and had a series 1 of meetings to develop alternatives to address 2 3 those issues. Then, we went away and did an evaluation of those alternatives, and that's why 4 we are here tonight. We would like to present the 5 information in terms of the evaluation of those 6 alternatives and get some feedback from you on 7 that evaluation. Based on that information, the 8 Montana Department of Transportation and the 9 Federal Highway Administration each chose what 10 11 they felt was the best alternative or the preferred alternatives for their agency. 12 came up with different preferences, so we will 13 talk about those a little bit later. Those are 14 15 preliminarily at this point and once more, this is input from this comment period now. They will go 16 back and assess their previous thoughts on that, 17 in terms of the alternatives. 18 Our meeting's purpose is threefold. 19 As I

Our meeting's purpose is threefold. As I said earlier, it's to get information, to share information with you on that evaluation; second of all, to get your input; and thirdly, we are also taking comments for the Army Corp of Engineers, as part of the Clean Water Act 404(b)(1) permit. Any dredge or fill materials with waters of the U.S.,

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such as wetlands, require this type of a permit 404(b)(1). If you have comments on that particular issue, we will take those down and provide them to the Corp as part of this process. We have offered that at all the meetings to date this week.
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So, in terms of the process, after tonight what happens we have until August 13 to We are asking for comments in a get comments in. lot of different ways. You can write them down on the sheet I handed to you as you walked in and leave them here with us. Karl's address is on that sheet if you want to send it to him later. If you want to grab a bunch of forms and give it to your neighbors, they can send it later. Also, there is a web site. If you would like to give comments that way, you can do that at any time. You can give your comments later tonight when we have a question and answer period, and Stacy is going to transcribe those for us and take them Also, you can come up and talk to any one of us individually and we will write those comments down as well.

So, then after that period, all those comments are in, we will take a look at those and

1 different specialists will look at the different issues that came up, in terms of their speciality, 2 3 and we will provide that information to the Montana Department of Transportation and the 4 5 Federal Highway Administration. They'll take a 6 look at that and say, gee, based on those comments 7 and that review, there are some things that we 8 should match in the environmental impact document 9 and we will make those changes.

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Then, there is a second step process. They will look at that and say, gosh, now based on this new information or revised information, now what do we think are our final preferred alternatives. Then, they will make a final recommendation at that point, and it will be a single recommendation; both agencies will come together and make one recommendation at that point. So, the decision has not been made yet. They do have a preference, but the decision has not been made yet. That information will then be presented in what's called a Final Impact Statement and then finally, in a Record of Decision. You need that Record of Decision before you can go forward and actually obtain right-of-way or start construction on the project.

At this point in time, we estimate that with the schedule that we got now, that we will be through that process by Christmas time. So that's kind of where we are tonight, today.

With that, tonight, we are going to go through the alternatives that were selected as the final alternatives that we should be looking at, and then I will also provide you information on the MDT and FHWA preferred alternative. We are going to talk about, so you know how we came up with these alternatives, but to other people that are new tonight, this might give you a little background.

MR. HART: Debra talked about the public meetings that were held throughout the project.

We held the initial public meeting, heard issues and concerns, and then we developed alternatives.

Then we focused on the alternatives and refined those as we were analyzing the public comments and responses throughout the course of those public meetings. In addition to the public meetings, we met with a Citizens Advisory Committee. We met nine times throughout, over the last couple of years, with that group, and they were very instrumental in helping us really focus on

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additional issues and special needs of the
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              Bob Sivertsen was on that committee as
   corridor.
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   well as other citizens. Citizens from the
   corridor, the Tribal Council, Bear Paw
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   Development, Chamber of Commence, and the railroad
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   was on that committee, trucking industry,
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   Burlington Northern. These were really
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   important. And also, citizens could talk with
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   those individuals when we were not up here in the
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   public meetings and that interaction was really
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   important.
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            Then we met with other small groups,
   special users of the corridor and business men
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   along the corridor. Particularly, the businesses
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   that would be impacted by widening, which were
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   primarily in Chinook, but also here in Harlem and
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   then in Havre. And then irrigation providers,
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   where right-of-way would be needed and impact
   irrigation for farmland. We met with those folks
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   and the emergency response people about the needs
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   as they travel up and down the corridor
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   frequently, and as traffic pulls over or being
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   pulled over, the issues that result in safety
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   concerns as well. And then there was lots of
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   other opportunity for public comments.
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We had a public survey. Earlier in the project, we had a trucking survey that was conducted of trucking companies, which gave us input on their use of the corridor. Our web site received a lot of comments on that and people also sent us comments in the mail. So, there was a lot of input and it was all very important as we shaped the alternatives and refined those for what you'll see tonight.

With that, Steve is going to describe in more detail the details what alternatives are for the whole corridor and then specifically, here in the Harlem area.

MR. LONG: As we started the project, the first thing we did was to come up with a purpose, and I see a lot of familiar faces here that helped us shape that purpose and need. Since of the first workshops and first public meetings, our purpose and need was to replace US 2 with an efficient and safe highway that would be attractive to the needs of local communities, agriculture, industry, commerce and tourism. That's the purpose.

highway to support economic vitality; reduce

The need is to provide an efficient

1 roadway deficiencies; improve safety, and improve Those were kind of what we 2 traffic operations. 3 were tasked with for this project. A few of the design objectives- needs to have some boundaries 4 5 to set off what that purpose and need means, enhanced community connections provide a safe and 6 7 harmonious travel experience for all users, 8 maintain and promote economic opportunity, stay in 9 contact with the surrounding community, 10 environment and strengthen community identity-11 this is what we heard from you at our workshops 12 and our public meetings. The role of the engineer 13 was twofold.

First off, to figure off where the roadway should go, how it should be fitted in the environment. Second is, how wide should the roadway be. How much traffic do we expect to have on the highway when we build the highway and 20 years into the future?

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Let's take the first, where do we put the highway, and that was determined primarily by some of the deficiencies. Two of the major deficiencies that we saw on this project were the steep side slopes and no shoulder and that was compounded with the proximity close to the

railroad tracks. When you have a highway that close to railroad tracks all those county roads and private driveways that go over those railroad tracks, have very little distance to stop between there, or as you're coming down the highway and turning, you have very little distance to see if there is a train coming. We liked the idea of possibly moving that highway away from the railroad track.

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We are probably not going to move the railroad track away from the highway; it's not very likely. So, we thought we would take this opportunity to look at that and we did that, prioritizing the crossings. We looked at things like how bad are the existing crossings? there accidents in these locations? What is the geometry like? Is it raised way above the highway? Is it a difficult crossing? The other thing, how often is the crossing used? Obviously, residential is used three or four times a day, some of the county roads some of them 50, 60 cars a day, some of them hundreds. What we found was that in the location where there was higher use and it was more unsafe, we felt more comfortable moving the highway away from the railroad track.

In other locations where we didn't think that it was such a large issue, we kept it closed and then we balanced that with the environmental impacts. Looked at avoidance of wetlands, cultural resource, make sure that we weren't just wiping out residents along the alignment, that we weren't just plowing through wetlands, that we weren't spilling fill into the river. That's pretty much how we decided where the roadway might go.

The next question was how big should the roadway be. Joe's expertise is to determine how much traffic you can put onto a roadway. When you need to start adding lanes, when do you need to have what we call auxiliary lanes, left turn lanes, accel, decel lanes onto country roads and side roads. When do you need all that. And that really helped us frame the alternatives.

Now, the first alternative is No-Build Alternative, the do nothing. That gives us kind of a benchmark to weigh all the alternatives against, to compare, plus it is a viable alternative. First thing we looked at was let's take the existing roadway and let's move it to make it safe. Move it away from the railroad

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track and where we think the alignment would work best and not put dangerous swerves in, and improve the shoulders and take these ditch sections and smooth them out. A good example of all these alternatives, these side slopes, is where the new bridge, where the Milk River is put in place. Take a drive and see, those side slopes are very It allows the car that leaves the roadway gentle. to recover, either pull back on the roadway or come to a safer stop. That's what these side slopes are designed for and that's what the side slopes out there are designed for. You see quite a dramatic difference versus a mile or two where the bridge has been replaced. So this is the first one that we looked at.

Next one that we looked at was to do the same thing, but at strategic locations to add a passing lane. Okay. Now we heard initially, we heard initially that a lot of the problems on the corridor is that people felt that they were always following slow vehicles. They were what we call queue, many cars backed up behind slower moving vehicles. What we did, we said let's offer some opportunity for cars to pass. Okay. Everybody knows what a passing lane is, slower traffic move

1 right, a mile or two long to allow cars to go 2 We first started out by locating where 3 the cars go the slowest through some of the towns, Chinook, Lohman, right outside Zurich where those 4 5 tight curves are. We wanted to maybe offer some 6 passing opportunities in there and then we 7 staggered some additional opportunities in there. Then, we ended up with about every five to ten 8 9 miles we have this opportunity in both directions. 10 As you leave Chinook, in either direction there would be a place where the trucks that are geared 11 12 low, it allows a place for all the cars to leave 13 them.

The next alternative is Four-Lane
Undivided rural. Okay. Four-Lane Undivided is
simply two lanes in each direction. Okay. Fully
improved shoulders, 8-foot shoulders on each side
look like the other alternatives and the flattened
slopes.

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Lastly, we looked at Four-Lane Divided.

Now, the difference between the Four-Lane

Undivided and the divided is that we added a

median to the middle, a 36-foot median. This

looks a little bit more like an interstate

highway, with the grass lined median in the

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middle, not nearly as large but that same idea.
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  It does create a barrier for people to cross that
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  have to make left turns out of their property.
         If you're heading out from the south side
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  Okay.
  of the highway and you want to head toward Havre,
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  there is going to be a median in your way.
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  you would have to turn right and go down to have
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  an opportunity to come back and do a U turn
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Okay. All right. I want to mention one other thing that's common to all these alternatives, again is that there are locations along the corridor that do have left turn opportunities and accel and decel, not nearly every county road or every house, but there are a couple handfuls of locations that we have shown a need for those type of auxiliary lanes. Those are all common to all these alternatives. There is left turn lane on this. On this, there is also a left turn at this alternative in the same location.

Okay. Now, we are going to talk a little bit about the impact analysis of each of these alternatives.

MR. HART: What I'll explain is then our

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evaluation of those alternatives included in the large Environmental Impact Statement, the large book in the back. It took all that amount of description and we tried to boil all that down into the primary difference between each of the alternatives and categorize that by the differences as it relates to the transportation needs of the corridor. And that's what all of these are, Transportation evaluation criteria on the top half of this matrix and then the Economic and Social Conditions and Environmental Conditions on the bottom half. The impacts of each of the alternatives, we included a copy of this the 11 by 17 sheets.

Across the top are alternatives. The No-Build Alternative is in the first column and then the Improved Two-Lane, that Steve talked about. The Two-Lane with Passing Lanes and then the Four-Lane Undivided and Four-Lane Divided.

And we have color coded those. The red shows an adverse impact. The green is a benefit or a positive impact, and the yellow is somewhere in between some impact, and we call that a neutral alternative.

So, one thing you can look at and see

that, by just the general color coding, by doing nothing to the highway it would be an adverse 2 condition for travel operations. And then for 3 each of these alternatives as you add more lanes, 4 5 you can see the benefits to traffic flow are 6 improved, conversely for economic and 7 environmental conditions, doing nothing doesn't make any environmental impacts and as you build more lanes there are more impacts of natural 9 10 resources.

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So let me go through some of the transportation evaluation criteria briefly and then Debra will talk about the Economic/Social and Environmental.

For, accident rates, which is one of the first criteria, the biggest improvement that we anticipate is the improvements to the shoulder, adding shoulders and improving the side slopes. Many of the accidents along the corridor result from a car leaving the highway. We just drove by one. A car that turned over just this side of Zurich and that is probably the biggest improvement.

Then further improvements are achieved by adding passing opportunities because additional

accidents are caused by the passing, inability to pass safely. Adding a passing lane improves conditions. Adding additional lanes so you can pass at any time improves it even more so, so the color turns to green in those alternatives. So that also follows with the shoulder and clear zone, the turn lane criteria, same types of benefits. The improvement for the distance between the railroad track and the highway is another criteria, safe passing, pedestrians and bicyclists are benefitted by the widened shoulders so the shoulder area is a benefit for them, and school buses being able to have that increased area as well.

So for traffic operations, the same types of things as with auxiliary lanes and passing opportunities, we see those benefits accrue as additional lanes are constructed. So with that, I'll turn it over to you.

MS. PERKINS-SMITH: Thank you. A couple things I'll just hit some of the highlights, in terms of the economic and social, which is the first grouping here. Most of you are probably familiar with Senate Bill 3. Senate Bill 3 directs the Department of Transportation to

construct a four-lane highway. Also in that bill, 1 2 is information on the funding for a highway and it actually limits the funding available for a 3 four-lane highway. It states that funding, that 4 state funds cannot be used and also, that Federal 5 funding that's already been directed or allocated 6 to another highway cannot be redirected to this 7 8 project. Therefore, you probably have to get a special set aside from the Federal Government in 9 10 terms of being able to come up with funding for 11 the four-lane highway. So that is one thing that we took a look at in terms of all the alternatives 12 13 and said, gosh, do these alternatives, are they consistent with that bill, the two-lane alternatives and the No-Build are consistent with 15 16 that bill. If you can not find Federal funds there is nothing that says you can't construct a two-lane highway.

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The four-lane alternatives are also consistent with Senate Bill 3, if there is Federal funding available.

In terms, Steve, did you mention project Maybe I should mention that here. costs? costs of the project obviously vary. For the two-lane alternative, the Improved Two-Lane, it's

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\$70 million. And you get a Two-Lane with Passing Lanes, its approximately \$73 million. As you can see, it's going to increase with more lanes. The Four-Lane Undivided alternative is \$95 million, and it's \$107 million for a Four-Lane Divided highway. This one here.

So you can see the cost increases with more, right-of-way and a wider roadway as we go through. A couple things in terms of community impacts I should mention, obviously again the Right-of-way, you have the color changes. You require more Right-of-way for a wider roadway. As well as there are more relocations in terms of either businesses or homes that need to be relocated or acquired because they are within the construction limits for the highway. And I would like to read those numbers for the two-lane alternatives structures that are actually within the construction limits that would have to be relocated or acquired. There are approximately 12, about a dozen, 11 or 12. When you get to the four-lane alternatives, because that's wider, you're actually looking at 22 structures for the Undivided Four-Lane and 45 structures for the Divided Four-Lane. Which again is that wider

crossing. So that just gives you an order of magnitude in terms of some impacts along the corridor, people that live along the corridor or have businesses along the corridor.

There are some impacts in terms of loss revenue because that private land is then taken off of the tax roles so it's no longer available, or there is a reduction in the property tax revenue from that land. There could be some impacts specifically in Chinook, there could be a number of businesses impacted for the four-lane alternatives.

In terms of some of the environmental impacts, wetlands certainly, they increase again with the wider roadway. Ranging from 6 acres for the Two-Lane, all the way up to approximately 10 acres for the Four-Lane Divided highway.

Historic and cultural sites: We have a couple of historic properties along the corridor. Two of the bridges are historic and one farmstead. They would be impacted, whereas in the Four-Lane, in addition, there are two commercial buildings that would be impacted that are historic.

HAZMAT. Last night we were in Chinook. This is a concern in Chinook and also a location

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in Lohman.
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                There are several under ground storage
    tanks in those places. In some places, they are
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    leaking.
             They are considered to be hazardous
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    material sites. There are approximately 11 of
    them in the Chinook area and with the two-lane
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    alternatives, there are leaches underneath into
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    the current highway there in Chinook that could be
    some impact when you go into reconstruct.
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         However, in the four-lane alternatives, you're
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    actually into the sites themselves where those
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    tanks are situated so that the Right-of-way would
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    actually require you to remove those sites and
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    remedy that location. So, that's a more expensive
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    proposition and greater impact than what you may
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    find if you stay within the existing Right-of-way
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    in those areas. There may not be any hazardous
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    material concerns in those locations.
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         With that, I think I kind of hit the
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    highlights in terms of the economic and
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    environmental issues. Steve is going to go
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    through now and specifically talk about this area
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    in terms of Harlem and then after that, we are
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    going to open it up for questions and answers.
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    you could hold on a little bit longer and then we
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    can get your answers for you and I also did want
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1 to again, remind you that there is some water over 2 there. Help yourself. 3 MR. LONG: Due to our series of the 4 workshops, we came up with a wide variety of 5 alternatives actually, initially on the project. A lot of those included bringing the highway back 6 7 into town even, making a couplet westbound into town and eastbound out of town. So, we looked at a wide variety of alternatives and what we ended 10 up with basically was two alternatives and we 11 matched up these alternatives. The Two-Lane 12 Alternative that you see here is represented in **1**3 this option and the Four-Lane Alternatives coming 14 into this area are represented in this option. 15 And I'm sure you can't very clearly see that from 16 the back row, so let me go through it and then we can come up with it, look at it later and go 17 18 through questions and answers and go through 19 specifics. 20 The Two-Lane Alternative is basically one 21 lane in each direction with a center turn lane, 22 continuous center turn lane. This is very similar 23 to what you see in Havre, that stripe lane down 24 the middle that you can use in either direction. 25 The other option is the Four-Lane and it's exactly the same thing, with just one additional lane in each direction. Okay.

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Now, let me go through some of the specific features of it. The alternatives transition from the highway alternatives into this Harlem area, at the old highway, what is it 396, but we rebuild that intersection. Right now it's that sharp Y. We actually turn that in and make a more normal 90 degree intersection with that.

We also realign a road on the other side to match up to that. Okay. At that over here, we heard a lot about these intersections here. There is a star intersection, I think five roads, an irrigation ditch service roads and county roads all coming together at one point and a very bad point with very poor sight distance. It shows an accident cluster in this location, so we looked at a few options of how maybe we could terminate some of these roads and realign even the road.

AUDIENCE MEMBER: Why is that?

MR. LONG: It's where Lincoln Avenue is.

And then, like I mentioned, rebuilding an efficient road. Another design feature of both of these alternatives is that we would have many right-turn lanes into the businesses and into

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Fourth, Main Street and Lincoln Road. Okay. That would almost add an extra lane to each of these because it's almost continuous, but that would be a right lane must turn right type situation we would have in there. We wouldn't create a passing lane. So, we called those auxiliary lanes and that's why you don't see them up here as through lanes, but in reality it does kind of add one extra lane to these two sections. Okay.

The other thing we heard in both Harlem and in Fort Belknap goes back to one of the objectives, which was to enhance community connections. We heard a lot about how do we get the pedestrian movement more compatible between the two. How can we get people moved from one community to another? We were actually watching the kids swim and this is a good example, how do those kids get here, on their bikes, you know. they are coming from Fort Belknap, there is really no safe way to get from one community to the other. So what we have done is looked at adding a bicycle path from Fort Belknap. We start on the south side and then at the Milk River Bridge, we sneak underneath and then go on the north side and it's a detached bike path; it's not up at the

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highway. We would have probably a ten-foot nice multi-use path. Okay. When you come up and look at that, that's noted on here kind of up in a yellow color so, with that, that's pretty much the alternatives.

Everybody understand how we match the At this point, I want to make alternatives here? sure everybody is also clear that all of these alternatives and what we are looking at in Chinook and what we are looking at in Havre can be mixed and matched. Just because this is called the Four-Lane Alternative, it doesn't mean it can't be used in a Two-Lane. We just build these alternatives purely right now there. There is going to be compromises, if you have comments. Ι kind of also like the alternatives through this That's kind of what we are looking for feedback tonight. We are also looking for detailed feedback from you. What I have drawn up here, we might have to break out.

MS. PERKINS-SMITH: How about if I go through and share with you where MDT and FHWA have ended up in terms of their preferred alternative, and then we will jump into some questions.

25 Currently, the Montana Department of

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Transportation has identified their preferred alternative as a four-lane highway and they have not specified whether that is divided or undivided. The reason for choosing the four-lane highway is because of Senate Bill 3, to be consistent with that.

The Federal Highway Administration has a different preferred alternative at this time. Their initial preference is for a Two-Lane with Passing Lanes alternative, which is this one here, and that's for the rural part of corridor. Within the area of Chinook, they have not stated a preference at this time, and their reasoning for choosing that alternative is that they feel that there will be a great safety improvement just by having the shoulders and the wider side slopes. So you still get some improvement and for the amount of traffic you get, the operations would improve as well, and that this would be sufficient. They have traded that against, or tried to balance that, with the impacts associated with making a wider highway. They felt that the environmental impacts would be less with the two-lane alternative. As you can see here, with the four-lane you actually have more impacts, so

they were trying to balance the environmental and economic impacts with safety and traffic operations. So, that's their recommendations at this time.

As I said, those are preliminary so they are waiting to take a look at all this input that they have been receiving this week and input they have been receiving from other agencies and people through August 13. Then, based on that information, they will take a look at their recommendations and come together with a suggested final preferred alternative. As Steve was saying earlier, it could vary depending on where you are in the corridor. What you do in Havre could be different than what you do in Chinook or Harlem, just to let you know.

At this point, we'll open it up for questions and answers. I have a couple little ground rules since we are transcribing this for an official transcript. Stacy Ellery over here is taking down the information. We ask you please to state your name very clearly so that she can get that down, and sometimes Stacy will stop us so we can get everything down as we go through. In the mean time, Joe is going to also record some of the

comments so that we have that information tonight 1 So with that, let's open it up for 2 here. questions and answers. I think I saw a hand 3 already. Would you state your name for everyone? 4 5 MR. GREEN: Larry Green. Why don't -why didn't you, when you gone through the first 6 I saw things in each 7 chart, stop and question. one of those that interested me. At my age, I 8 don't remember from one chart to the next. I want 9 to know first one, these taxes that have to be 10 moved, they were supposed to have been moved 11 12 several years ago. That's one of my questions: Why weren't they moved then? Then you wouldn't 13 have to fool with that. 14 That's true. 15 MS. PERKINS-SMITH: MR. GREEN: And that's a problem with, 16 17 one of the problems with the State Department of -- Department of Transportation. They have all 18 19 kinds of problems, but then another is, you say 20 that other highway projects have been in the mill for some time so you couldn't go up ahead of those 21 22 to come on this one. Are you ever going to put 23 this one in that mill? 24 MS. PERKINS-SMITH: Actually, there are 25 two questions there. I'm going to have Mick

Harlem Public Hearing Comment Summary			
No.	Individual	Comment	Response
1	Larry Green	[1] Why don't why didn't you, when you gone through the first chart, stop and question. I saw things in each one of those that interested me. At my age, I don't remember from one chart to the next. I want to know first one, these tanks that have to be moved, they were supposed to have been moved several years ago. That's one of my questions: Why weren't they moved then? Then you wouldn't have to fool with that. [2] And that's a problem with, one of the problems with the State Department of Department of Transportation. They have all kinds of problems, but then another is, you say that other highway projects have been in the mill for some time so you couldn't go up ahead of those to come on this one. Are you ever going to put this one in that mill?	[Introduction to Question and Answer Period by Debra Perkins-Smith] PERKINS-SMITH: At this point, we'll open it up for questions and answers. I have a couple little ground rules since we are transcribing th for an official transcript. Stacy Ellery over here is taking down the information. We ask you please to state your name very clearly so that she can get that down, and sometimes Stacy will stop us so we can get everything down as we go through. In the mean time, Joe is going to also record some of the comments so that we have that information tonight here. So with that, let's open it up for questions and answers. I think I saw a hand already. Would you state your name for everyone?
		[4] So, the owner of the property would have to do that? That's not costing the State anything?	[1] PERKINS-SMITH: That's true.

- [5] He could forfeit the property.
- [6] I'll have to come back to it.
- [7] They probably wouldn't even put it on then.
- [8] I have dealt with the Department of Transportation for 30 years and I have found the best way to get through to the Department of Transportation is to pay little under the table.
- [9] I have dealt with them for 30 years.
- [10] They asked me to pay and because I didn't, they held it against me for 30 years. We have been given two years in a row, we have been given a gallon of maple syrup and thank you for all the help that we have done. We have North Dakota, South Dakota, nearly every county, this state, the County got it. They don't care about the State, but believe this or not, they, the County, put them on the roads and all state roads that the county was taking care of, they had them on the bridges. The first of the year, the State took those roads back and they took every one of those bridge markers. When they took them off, they put them back on the old fashion ones, and the one right by us and we know others, they were knocked down within two days.
- I111 The environmental impact. How about safety? How about safety? These are safety things for your highway. The bridge marker, they took them down and put the stakes down on the old fashion way and we -- I can't keep them up any more. They have had them up for 14 years and never replaced one.
- [12] That's fine. I wanted to say it never the less.
- [13] Well, people need to know these things. This would save a lot of money for the Highway Department.

- [2] PERKINS-SMITH: Actually, there are two questions there. I'm going to have Mick address the -- Mick, let me address the first one. In terms of the hazardous materials and those tanks, those are actually outside of MDT Right-of-way. They are actually in private property and those are the ones that I'm talking about. They are not MDT haxmat tanks.
- [3] PERKINS-SMITH: If the right-of-way has to go into that property and go over that tank and it's been leaking, MDT can't just leave it that way. It's a hazardous [site].
- [4] PERKINS-SMITH: Well, if the property owner does do it, then it wouldn't be a cost to the State. but.
- [5] PERKINS-SMITH: Yes. That's true. And then it's a cost of the State to do it. So you're right. If the property owner does it, that wouldn't be a cost to the State.
- [6] PERKINS-SMITH: That's fine. Keep looking through the material. I think your second question had to do with are some of these projects coming forward or whatever. Mick you want to address that?
- JOHNSON: Actually, when we stopped the project east of Havre, we moved the funding for their project for another project at Belt. Currently, there are no projects in the Havre to Fort Belknap corridor that are fundable before 2008.
- [7] JOHNSON: What we will do once the alternative that is chosen is given to us, we will put that alternative and the cost of that alternative into our transportation plan, along with all of the other priorities that we have. and see how they boil out.

No.	Individual	Comment	Response
			[8] MR. JOHNSON: And I'm going to ask who did you pay under the table?
			[9] JOHNSON: I would deny that. There has never been impropriety in the Department of Transportation.
			[10] JOHNSON: The comments that you're making are about a product that your company sells and it really has no bearing on the environmental impact.
			[11] PERKINS-SMITH: Is this something you can talk to Mick about later? We will visit about it any time, Larry. The issue is, the gentleman has designed a patented product that is built on a valve spring that lays over when farming. The Department of Transportation has chosen not to use those. This was done by Mick. But the point is, I guess, that's a discussion that is not appropriate for this.
			[12] PERKINS-SMITH: It's in the record.
			[13] PERKINS-SMITH: Are there other comments specifically about US 2?
2	Mabel Egeland	 [1] Mabel Egeland. These costs that you're projecting across there, the building costs, are they just construction costs or do they have to do with upkeep and that sort of thing? [2] But then that's where they stop. They have nothing to do with like these meetings and the upkeep afterwards? [3] Well, there was something in that book about it and that's why I asked. 	[1] LONG: The costs that you see there, are not maintenance costs over the life. They are construction costs; they include right-of-way and they include the engineering and construction management to build the road.
			[2] LONG: They might have something to do with these meetings because it does have design costs included in it, in rough terms.
			[3] ADDITIONAL: Comment noted.
3	Jack Rosenberg	[1] My name is Jack Rosenberg and I don't want to get in trouble for this. Has anybody taken a poll to the bicycle path from Fort Belknap to Harlem? I live in Harlem and I don't believe I have ever seen, besides going across the country, there isn't any kids doing that. Why don't we build it from Fort Belknap to Havre? Now I'm not for that. I'm just saying how many children would use that, and that's extra money that could go towards this four-lane highway.	[1] PERKINS-SMITH: One thing maybe we should say, it's also available for pedestrians. Even today, we saw several pedestrians walking from Fort Belknap to Harlem and we have not taken a poll. It was just a suggestion that came out from various people in the community. It's something that we looked at, but you're right, it does have a cost associated with it.
		[2] I've only lived here three and a half years, you see a few hitchhikers.	[2] PERKINS-SMITH: Between the two. Thank you for comment. We will take that into consideration.
4	Dolores Plumage	[1] Mick, one of the classes from Harlem schools, I think I presented at, sent you an e-mail because I had heard from the Harlem school and they did ask the kids and that was one of the suggestions that came from them, that they wanted a bicycle path or some kind of path between the two communities.	[1] ADDITIONAL: That comment was received. Thank you.

No.	Individual	Comment	Response
5	Tim Carse	[1] My name is Tim Carse, C-A-R-S-E, and this is kind of a curiosity question. Given the proximity of Highway 2 to the U.S./Canada border, in light of what's happened with our Home Land Security issues, is there something that Home Land Security could do, either economically as far as benefiting this project or do they even have an interest in expansion, because certainly anything that would be done as far as making the road better would certainly enhance any of their activities, especially in time of crisis. [2] I guess my question is, the original interstate system, which was brought about by Eisenhower, had a military purpose in mind, and certainly I kind of see this as somewhat analogous in the event that something should happen. I don't know. They're are certainly not going to be taking county roads very fast. So I guess the question is, could this somehow be addressed as far as is there a potential source of Federal funding that could be allocated through Home Land Security on behalf of potential security concerns.	[1] PERKINS-SMITH: They have not. We have not had any comment from them, in terms of security. We did actually talk with the Border Patrol to find out if this would be helpful to them and one thing that, you know, they have said is there is no shoulder or anything if they needed to get some place very quickly. In terms of the Border, obviously they have to use US 2. That it would be helpful to them to at least have a wider shoulder that they could, you know, let people know, people could pull over, that sort of thing and that's pretty much the only suggestion we had from them. But you know since we started the study, we have, boy, I think they have more than doubled their staff here. That was early on, so things have started changing a little bit more.
6	Don Richman	[1] Don Richman from Harlem. I guess I really last night was a prime example, after I had to drive to Big Sandy from Harlem and afterwards, there was an accident at Chinook. There was three fire trucks, an ambulance, two cop cars. You couldn't get around any place to get through. And I guess, I think we should make all of our State Senators and representatives from Great Falls to Billings, I think they should have to come up for a year and drive on this highway. I think maybe we would get a little more courtesy and a little more deciding that this is something that needs to be done. How many people do we have to kill up here before we get treated with the same courtesy and the same respect that the southern corridor does. I guess I'm very adamant that we need this four-lane highway and we deserve it. We have put just as much as money into taxes in Montana as they do in the southern part of the state. We just don't get credit for it. Our farmers and ranchers deserve everything that they get down there. And I think we need to push this and push it hard.	[1] PERKINS-SMITH: Thank you for your comments. ADDITIONAL: All build alternatives would improve safety over the existing condition by providing wider shoulders, improved clear zone, and flatter side slopes.
7	Mabel Egeland	[1] Mabel Egeland. Just to add to what Johnny just said, US 2 in Montana is in the outback. If you start just this side of Great Falls or just north of Lewistown, go down towards Billings, that's Montana going west. If you start to look at this as a property tax state, and he's right. We have paid for this road time and time again, but we don't get it. It wouldn't cost that much when you're looking at those kinds of figures to put some kind a road in here. The road you have out here isn't even legal. If someone had an accident and sued the State, the State would be liable because you don't have any side on those roads, no place for anybody to get off for anything.	[1] PERKINS-SMITH: Thank you.

8 Vic Miller

Vic Miller, citizen at large, but I sleep here. I like it here. If I look at this chart and I'm not very, you have to forgive me, I'm not very smart. But, when I look at this green is good and red is bad and yellow is neutral; is that fair to say? So, when I see the little red things over there about a couple acres of wetlands being displaced, which I assume have to be somehow made up for; is that fair?

[2] I'm just guessing, I don't know. 45 miles of road in a couple acres is that, I mean in the world that you all live in, that I don't, is that considered significant or insignificant? Or I mean, I'm just asking out. And then my other questions on project costs, is that for just from Havre to Fort Belknap that portion of this wider division?

[3] I'm not trying to a be wise acre that created this five star wreck here, so that the initiative will be to build an earth filled dam of an magnitude. That would be the same Army Corp of Engineers. So, I guess my question would be in terms of value. As I look at this thing, as a person that isn't afraid to put a value judgment on things, we are going to displace some wetlands. They are not going to go away, much like all the farmland when Fort Peck was built, with humans being displaced, we are going to displace some ducks. They are going to have to move. And in terms of when we look up here, from a value judgment, I see safety being addressed with a lot more green is that, I mean when I look at this chart and I read it, in my simplistic way of doing it; is that fair to say that?

[4] Well, I guess then I'd like to go on record then, I'd say I'm in favor of one of the four-lane proposals. I guess I haven't changed my mind from three years ago. So thank you.

[1] PERKINS-SMITH: That's right.

[2] PERKINS-SMITH: Yes, it's just from Havre to Fort Belknap. You asked actually a very good question. There's no weighting to this information here. So for instance, our wetlands is as important as safety. We have not made any value judgment in terms of that. We have just provided that information so that the FHWA and MDT can look at all the information and make a decision. No one has said one thing is more important than something else. Wetlands is very important to one agency, the Army Corp of Engineers. They would say that is absolutely critical and that's significant to them.

[3] PERKINS-SMITH: Yes. As you get the No-Build here is red, which means we have these safety problems. Whereas once you start constructing something with a wider shoulder, the safety actually increases and so that's why that is green, that situation's improved. So we are just trying to -- there was a lot of words there, so we just thought maybe the color might help you.

HART: And that line between what's yellow and what's green, there is no fine line there. That was just a general judgment call. The difference is really probably the color-coding.

[4] ADDITIONAL: Thank you for your comments.

9 Don Richman/Vic Miller [1] Don Richman again. You say that you have not weighted this, and yet if you look on Page 3, to me it has been weighted. If you look at the right-of-way they are saying 104.3, and somebody has weighted it. They are trying to say if we spend this much money, what we gain is good, if we spend this much money, I guess, somebody has weighted it.

[2] RICHMAN: I understand what you said. You're saying that safety, you haven't said safety is more important that wetlands right now, but I think the Highway Department and Montana Department of Transportation and a few of those places have weighted it, or you would not have this chart showing that we feel you can gain more bang for your buck by doing this two-lane proposal, rather than the four-lane proposal. So, it has been weighted in my mind.

[3] RICHMAN: And they have used that wetlands versus suggested safety?

[4] RICHMAN: So it has been weighted whether we wanted to call it weighted.

[5] RICHMAN: We all know this plotted out. We all know. That's what I'm getting at, is that wetland is the same as one life or two lives or...

[6] MILLER: As I understand it, it's just being displaced?

[7] MILLER: I mean it's not going away?

[8] MILLER: It's just going somewhere else?

[1] PERKINS-SMITH: He has [sic].

ADDITIONAL: The impacts identified in the EIS were not assigned weights by the project team.

[2] PERKINS-SMITH: Yes. And they're choosing of their, or identifying a preferred alternative. They have made some of those decisions.

[3] PERKINS-SMITH: That's right.

[4] PERKINS-SMITH: In their state of preference, it has been weighted. That's right.

ADDITIONAL: In the DEIS, FHWA had identified the Improved Two-Lane with Passing Lanes as their preferred alternative because it provides efficiency for the traveling public and improved safety while incurring fewer environmental impacts than the four-lane alternatives. In addition, funding could be obtained through MDT's regular funding prioritization process, so there is reasonable certainty that funding is available.

HART: I didn't go down and, like, numerically put numbers to any of these and add them all up. I mean, I have seen that kind of thing done before and that was not done in this case.

[5] PERKINS-SMITH: Right.

[6] PERKINS-SMITH: In terms of wetland?

[7] PERKINS-SMITH: Correct.

[8] PERKINS-SMITH: Right. They have to come back and mitigate for the wetland impacts and there are different ways you can do that. Sometimes it's creating a wider wetlands some place else. But it is something that they are required to identify by law, what the impact is. And so we have done that for them.

Thank you.

10 Bob Sivertsen - CAC

[1] Bob Sivertsen. There is another side of this issue that I think that you folks need to know. We have taken issue with the way that this E.I.S. was done, and let me explain what our beef is. I have been involved with this thing from day one, when Senate Bill 3 was first introduced. I joined forces with Senator Kitzenberg. Julie and I helped to get people to the hearings and to get that thing passed. And I have -- and then when DOT decided to do this study in this area here between Havre and Fort Belknap, I became a member of the Citizens Advisory Committee and worked very close with these folks.

Let me say, so that you don't get the wrong attitude, that these are good people. They have worked really hard and I want you to know that. Karl Helvik from DOT, any time I have wanted any information, he was there to give it to me. Mick Johnson has been good about giving any information. So my beef is not with these folks, but where we got in disagreement, the way this study was done, is with this statement right up here: "Provide efficient highway to support economic vitality." Federal Highways has a preference of an Improved Two-Lane. DOT supports an Improved Two-Lane, and make no mistake about it, folks, even though they announce that they were going to recommend a Four-Lane Undivided, they have never supported our four-lane proposal or 4 for 2. Also, there is a big question here as to the timing of the announcement that was made; that's another issue.

But you need to know that since day one, when Senate Bill 3 was before the Senate Transportation Committee, Dave Galt told us that we should just be satisfied with an Improved Two-Lane. We cannot afford to build a four-lane highway in Northern Montana because we have other needs in this state. We don't want to jeopardize any other projects in the state is what they told us, and they have told us this for years, is you people are second class citizens in Northern Montana. You're not important to anything in Montana. We need to spend that money elsewhere. And consistently, throughout this whole process, DOT, after the law got passed and signed by the Governor, that now they are trying to circumvent the law, pure and simple. So we took issue with this.

How many of you folks think that an Improved Two-Lane is going to bring about economic vitality in this corridor, or in this study area? We don't think so. I haven't had a business man, and the Highway 2 Association, at which I'm president of, we did a survey of businesses in the corridor and I traveled from Bainville to Troy. We wanted this survey out and we talked to these people, and 98 percent said we need a better highway or a better transportation system, a four-lane. That should tell us something right there.

So anyhow, as we get into this process and we get into this study and we are going through this study, it was very evident to me and I can't blame DEA or ICF Consulting that did the economic portion of the study, because they said, Bob, we did everything that we were supposed to do. They fulfilled the role and scope of the charge that they had. So too again, the finger points right to the Governor and to the Director of DOT.

Somewhere along the line, folks, something took place and I don't know what directive came down, but as you study this whole process, it is very clear to me that perhaps some of the conclusions in this E.I.S. were predetermined. They had the answers and then they skewed this to take and fit those answers.

So anyhow, as we proceeded into this thing, some of the things that we really had argument with were initially with ICF Consulting out of Fairfax that did the economic study, when I found out from them what they were going to do. Why don't you write your report -- where we got into a real disagreement was, is that they would not analyze the economic impact of a four-lane in the corridor. They said we are just going to study the study area. That's all

PERKINS-SMITH: One other thing, I would like just to remind you, Steve had gone through and identified some very specific things at some intersections. The recommendations go forward from here, that will have some of those specifics in it. If there is something else you heard, in addition to two lanes versus four-lane, but also if there is something that you are concerned about or you like in terms of some of the intersections, or the bike path or something like that, we would like to hear that also because that is part of the alternatives as well. And we will go forward or not go forward as part of the recommendation on some of the input.

[1] ADDITIONAL: For a response, please refer to DEIS Comments 46 - Bob Sivertsen, Highway 2 Association. This comment is similar to Havre Public Hearing Comment 2 - Bob Sivertsen, Highway 2 Association; Chinook Public Hearing Comment 11 - Bob Sivertsen, Highway 2 Association; and Fort Belknap Public Hearing Comment 5 - Bob Sivertsen, Highway 2 Association.

we are supposed to do.

Don't we all know what the effects are of a four-lane in a 45 mile area, what impact that would have on economic vitality or economic development. I don't think it has any, but if you assess or analyze the impact of the economic impact with four-lane in the corridor, it looks a lot different if you take into consideration our long-term goal is to get the four-lane done in Montana, and also to create an economic corridor between Minnesota and Seattle. Then, the numbers match and these figures right here in this benefit cost analysis, some place on this map right here, they match dramatically. This is where we have been at odds since day one and we try to drive these points home.

We haven't been successful, but DOT says that they want public comments and we have offered a lot of comments. In fact, we decided that we weren't getting any place, that maybe we needed a second opinion, so we hired, the Highway 2 Association, we hired our own consultant Hal Cooper, of Cooper Consulting out of Kirkland, Washington, to take and get a second opinion on this. He did and this is the document right here. It is in direct contrast to what we are seeing here explained to us tonight. He took a look at our resources, our vast resources in this corridor, and then listed some of the opportunities if we developed those opportunities that there are for economic development. It changes the whole thing.

I'm glad you brought that Home Land Security up. That is an issue that we say hasn't gotten any attention in this thing. We traverse one of the longest borders in the USA. Home Land is important. We need a decent highway. Our Congressional delegation is much aware of that. If we could get a four-lane highway, we can be working with Congressional delegation, not only to get the funding for, but Home Land Security. They are spending it elsewhere, so I'm glad you brought that up.

So then as we get into this, one of my recommendations that I would like to see, and I have asked DEA and I have asked Federal Highways, one of the -- it seems like it's an excuse for not building a four-lane highway, that they say the funding is uncertain for a four-lane highway. Senate Bill 3 directs the DOT to seek that funding, but that's phase Number 2. It is not a part of the deliberations here on this E.I.S. This is Phase I, the study; it is not a part of that. I have asked Federal Highways to strike that from their reference in their preference. They cite one of the reasons for preferring a Two-Lane Improved with Passing Lanes is that funding for four lanes is uncertain. That's an excuse that they are using and now DOT is doing the same thing. And DOT, to bolster their position of an improved Number 2, they are talking and quoting people outside the business world to support their stance.

Now, if I was wanting to take and get some good advice on economic development, would you not talk to the successful business people in this world or in this country. I think those are the people that know how to make it work. They are the people that hire and provide jobs. We got a real responsibility in this corridor to take and provide jobs. We got unemployment at a high rate, right south here on Belknap and some of the other reservations. The Federal Government has an obligation to provide jobs. You can't have jobs unless you have economic development and you can not have economic development unless you have a four-lane highway. I say that and I back it up by stating that over 80 percent of the businesses in this country are located along or near communities with at least a four-lane. And you can't, you know -- so I think there is a lot of compelling reasons why we have to take exception to the way this thing was done. We have spent \$1.9 million on this E.I.S. and because they did not do the job properly and it's skewed and it's incomplete. Then, they went ahead and now they are incorporating the Reconfiguration

Study into this that Judy Martz found a million dollars for. So we have got this presentation to see right here is 2.7 million dollars and we have not completed the job.

- 11 Mabel Egeland
- [1] Mabel Egeland again. I have a question. This passing lane thing, does this mean that the highway from Havre to Fort Belknap would be wide enough so it would be like a three lane all the way, or would it go like this all the way?
- [2] Is there any reason why it couldn't be wide enough so it doesn't have to do that?
- [3] Those ducks will find a place to go. What I'm worried, what I'm trying to get straight in my head is that when you go down to build the road, you had in there some place in that book it was going to be 40-feet wide and then it was the three-lane and then the passing lane would be 52 feet wide.
- [4] And that would be the whole surface, the road from Havre to Fort Belknap?
- [5] Are you clairvoyant?
- [6] How do you know where this is going to be and how do you know where the plan above is going to send the snow drifts in the wintertime, which is a thought and something that is of importance when you think about this?
- [7] When you narrow and widen this road in this country, when the man above decides he's going to send snow and the wind, that's going to be like this. Maybe I'm wrong, but I have lived in these snow drifts all my life.
- [8] It's just something to think about. Another thing I wanted to ask about is what your building is a dam. All along the way, you're in the valley and you're building a dam. Would you please tell these, whoever these smart guys are that build these roads, that they need culverts. I'm not trying to be funny. This road down across here, they didn't have any culverts in there and the guy who was designing it informed us we could drain into 30-mile. We offered to give him the opportunity to try it, so we got two culverts going down that way. It is a built dam you're building, but when you get wet years, once in a while that river has a tendency to pop over. That needs to be something done.

- [1] PERKINS-SMITH: That's a good question.
- LONG: It would go like this. At specific locations, that we see the queues start backing up, when people start having to get behind slow moving vehicles, we give them opportunities to clear. So those are for mile stretches, for every five to ten miles. Yes, the highway would need to bulb out, if you would, provide that extra lane for a mile and then gently come back together.
- [2] LONG: Yes. Pure cost, we are meeting design standards for this the way it is.
- HART: The narrow two-lane to miss some of the critical wetland and historic property.
- [3] HART: That sounds right.
- [4] HART: No, we would only have this third lane in certain locations, about five or six locations throughout the corridor in each direction. So we might have an eastbound one and then there might be a westbound one right after it.
- [5] HART: No.
- [6] HART: Right. The first question is how do we know where they are? We first off know that these queues happen through observation at the towns because trucks have to slow down as they enter into Chinook and as they go through communities. That's typically where trucks, as they come out of Fort Belknap if they have to stop, or if we are turning from 66 and they are coming out of Havre at a lower speed. That's where the trucks are going slower, so that's where we started. There are three locations right there. We also look at speed and delay, cars or trucks, how many trucks there are on the road and we can project those using computer models or do them by observations. And due to where the queues are, though we haven't defined that This design that you see here, is about two percent design. Those locations will be defined in the future. As far as snow drifts and how snow gets on the road, that can be studied in the future.
- [7] PERKINS-SMITH: That's a good comment.
- [8] PERKINS-SMITH: It's identified as a deficiency of the corridor.

ADDITIONAL: In response to comments regarding the highway acting as a dam, drainage concerns have been identified as a roadway deficiency in the purpose and need for the project (see Chapter 1 of the FEIS). Particular concerns have been noted on the east end of the corridor near Harlem. Appropriate hydraulic design to correct these deficiencies will be taken into account during final design of the project.

No.	Individual	Comment	Response
12	Larry Green	[1] Would these roads, you know, like you have out of Chester, where you widen the road out nice and wide and a good shoulder, would that road be built all the way through while you're waiting to try to get money for four lanes, or do we still have to drive I have driven 75 miles here on a little narrow road. There is some people that don't do so well, if you had that road widened out the way it is out of Chester.	[1] PERKINS-SMITH: Say widen the two-lane while you're waiting for funding for the four-lane?
			[2] HART: That's maybe a suggestion you can write up.
		·	LONG: That happens sometimes, yes.
		[2] I said that if you widen down the middle, 8-feet wider and put four-foot shoulders on, it would be a great road.	[3] LONG: That's what we hear a good idea like that, if you think that's something.
		[3] I'm just wondering if they are going to do that. Have you no plans?	ADDITIONAL: Since MDT and FHWA have selected the Improved Two- Lane with Passing Lanes Alternative as the preferred alternative, phasing the implementation of the number of lanes is not applicable. All alternatives, including the preferred alternative, would provide 2.4 m (8 ft) shoulders on each side of the highway.
13	Durain Lavender	[1] Earlier in the topic you mentioned that study over there on the table and then Bob just mentioned a study that was done here. What is happening with the study that he has done with the powers that are, that are working on this project?	[1] PERKINS-SMITH: Okay. That study was submitted Tuesday night as part, that was the first public meeting we had, and it was submitted at that public meeting for the public record, which means that we will then take a look at it and take a look at the suggestions in that and if there are things that should be changed in the E.I.S. due to the data that's in there, we will do that. So that's where we are with it at this time. The way to think of it, it's like a comment we need to assess it and see what it means.
			ADDITIONAL: The study mentioned by Bob Sivertsen is the "A Critical Review of the US 2, Havre to Fort Belknap, Montana EIS Existing Economic Conditions Report Final Document, June 2003" written by Cooper Consulting Company for the Highway 2 Association. Comments from and responses to the Abstract for that report can be found in the DEIS Comments #16 - Cooper/Highway 2 Association.

No.	Individual	Comment	Response
14	Tim Carse	[1] Tim Carse. Question about in terms of talking about study or looking at other information. Did this particular study look at similar areas and other response of the country, as far as you know, looking at where we are at about between Havre and Harlem, and talk to anybody or look at what they had done there in terms of formal study of building of road and then look at the after effects of it?	[1] PERKINS-SMITH: That's a very good point. In fact, Bob had mentioned earlier we used a consultant called ICF. Their specialty is economics and there are a number of federal highway studies and national studies dealing with this issue. And they took a look at that information as well as looking at specifics to the corridor.
		[2] Did somebody specifically identify it, where I could look at it?	[2] PERKINS-SMITH: Yes.
		[3] I'm just curious if somebody looked at other spots in the country.[4] Did they determine what the motivation was to build the four-lane in the first place if it wasn't economic? I'm just curious.	[3] PERKINS-SMITH: Sure. You can look at their reference material. It lists their report, the supporting reports for this document that is on the table and those supporting reports such as economic study. There is, in the back, there is reference materials that they mention throughout in these studies and that sort of thing. If you need some more information, make sure that you contact Karl and we can certainly get that to you.
			HART: You'll see if you look at those, it's complicated. The examples will be a road that was a two-lane became four-lane, but at the same time, gambling was introduced into that state, you know, so there is all these other factors and it's hard to pinpoint was it really the highway relating. It was kind of inconclusive is what they found, couldn't pinpoint specific examples of the benefits.
			PERKINS-SMITH: Well, they couldn't find anything that said, specifically said, build the four-lane.
			[4] PERKINS-SMITH: In some cases, it was for safety reasons or capacity reasons, so it can vary. In some cases, gosh, we think this would help in terms of economics and I have even been to conferences where this is the title of discussion. And they throw up on the screen a four-lane highway and there was one car on it. It did not bring in economic development, just by building. Other things need to be taken into consideration. Is there a plan that actually brings something into the community and some sort of economic development plan besides the roadway itself, but the roadway can certainly support whatever that plan is.
			Additional reference material including "US 2, Havre to Fort Belknap Existing Economic Conditions Report, June 2003", is available on MDT's website at www.mdt.state.mt.us/us2info/.
15	Vic Miller	[1] Vic Miller. I just had a question. In looking through the materials that were handed out, is there the WWW stuff, to look at the report's supporting documents somewhere?	[1] PERKINS-SMITH: There are two places. See this sheet here that had the agenda, there's a web site listed at the bottom there and it's also on the comment sheet as well.
		[2] And the ICF? [3] I guess my other question is that alternative report, or is that available on the web site, as well?	[2] PERKINS-SMITH: It's on there.
			[3] PERKINS-SMITH: You have to talk to Bob about that, perhaps he can respond. We just received this and we will pass that along.
			Additional reference material including "US 2, Havre to Fort Belknap Existing Economic Conditions Report, June 2003", is available on MDT's website at www.mdt.state.mt.us/us2info/.

No. Individual Comment Response 16 Bob Sivertsen -[In response to Vic Miller's previous question] [1] PERKINS-SMITH: I would just like to clarify for everybody else in the CAC audience, there is also another state-wide study that's going on, and it's called the Highway Reconfiguration Study, that Bob referenced and as Bob Sivertsen. We can get you a copy of that. We make them up as we need them and I'll part of that study they did look at some corridors such as US 2 border to make sure that you get a copy of it. border. And that's a different study than this specific project right here, [1] Debra, if I could just for a moment, when we talk about these studies that were cited in so it's a much broader, bigger picture type thing, just so you're aware of the ICF report, it seems to me that they determined that an Improved Two-Lane was adequate. They looked for the reports that would support that. There are hundreds of reports out there. There are a lot of business people that could talk to that who have been successful in the business world, know about economic development and that wasn't done. I have a real problem with the methodology. And then, when you talk about Cambridge Systematics that did the Reconfiguration Study, that is where I fault that. And I raised Cain when I found out who was going to do the Reconfiguration Study, is that they came into this with a bias and stated in the media before we even got started on that, that a four-lane wasn't going to do any good along this corridor for economic development. They came into it with a bias and yet they hired them to do the Reconfiguration Study. So it shouldn't be surprising to anybody how that Reconfiguration Study came about. Our Transportation Commissioner for this area has been going around about it because he has been chairman of that committee. They are just saying hey, this is the way it is. I gave them a fair chance, but they stated their fuss earlier on. 17 Dolores Plumage -[1] Dolores Plumage. I don't quite understand, on the intersection for Harlem, is there any [1] PERKINS-SMITH: In Harlem? CAC hazmat concerns if they widen? Any hazmat concerns if they widen the highway there? [2] PERKINS-SMITH: I don't believe Harlem had, I do not believe any [2] Uh-huh [sic]. (Affirmative) sites had been identified in Harlem in particular. That's not to say something couldn't be uncovered once you start, but they had not come with up that as an existing site there. 18 Don Richman [1] Don Richman again. I do want to stress that intersection at Lincoln Avenue is a death [1] PERKINS-SMITH: This one right there? trap. [2] PERKINS-SMITH: This is the other intersection you were talking [2] With the golf course, the farmers, ranchers, I have sat there -- Tuesday night is men's about? league in Harlem -- I sat there just two weeks ago and counted 20 some outfits sitting out there. Pretty soon somebody gets frustrated and this bonehead pulls out. What we got on [3] PERKINS-SMITH: This week, no. the other end of the town is some nightmare. Those intersections need to be fixed, no matter what else we do. I want to make sure the record shows that. [4] JOHNSON: Actually, you know, the director does not attend these public hearings. He doesn't attend them. This is my experience over the [3] Yes. Point out the four-lane alternative. Has Mr. Galt bothered to come to any of these five years, he hasn't been to any meetings. He has higher level priority. four meetings? He has staff to do that and that's why I am here. Administrators that are appointed by the Governor, they don't come to meetings. Sorry, I can [4] I bet he went to every meeting they had in Billings or any of those places public. assure you one thing, the director has received comments. I brief him every morning. It's not that like he hasn't heard what he's being called. I brief him and I also tell them what the issues are. They do want to know. I will tell you that. I'm sure Federal Highways is briefing their administration. ADDITIONAL: Thank you for your comments on Lincoln Avenue (MT Secondary 241)/US 2 Intersection. As identified in Chapter 2 of the FEIS. for all alternatives this skewed intersection would be improved to provide a 90-degree approach. The other intersection identified is the intersection of Water Plant Road, Lincoln Road, and US 2, which would be evaluated for operational improvements during final design.

19 Dolores Plumage - CAC

[1] Dolores Plumage. I have comments last night in Chinook, and that was brought up by the Federal Highway person here, that in their almost 60 people, they had a large turn out, a lot of comments. But the comment, as what do they want? It's just going to happen to Chinook. What do they want? Well, it's pretty obvious just like tonight what do you want? So today, that was discussed again at Fort Belknap, and I was searching for how do you communicate with the Federal agency or State agency? What do they want from us? What I'm hearing is that CAC needs to collectively where you're going to have to take a vote and do a letter altogether. What they did before was send individual e-mails and that's not enough. And I suggest also for your elected officials, City Council, they need to come together and let these agencies, Federal Highways, know exactly what you want because that's what these agencies are asking for. And so, we need to push ourselves a little bit more and you need to let the Blaine County Commissioners, and your elected officials here, know what you want, so you'll be represented and they write their letters.

[1] PERKINS-SMITH: Thank you. That's a very good suggestion. That will help.

Vic Miller

20

[1] Vic Miller. I appreciate the work you all have done. And quite frankly, I have sat through this, I have sat through this for a while, a couple years as well. I think I'll keep my political comments to myself about things in the beginning. But the point is, it appears to me, and this is a comment that I'm glad the Governor might hear this as well as Mr. Galt, it seems to me, it boils down to a value judgment that has to come from leadership that says we want this. And it's not, I agree with Commissioner Stead, we can have a ground swell that makes up with the 20 percent of that population that lives on, and there is 80 percent that may not want it, we understand that.

The reality of it is, do we really know if we're going to have improved economics. The reality of it is and my estimation, and I have done a little reading on this, we don't know. Did we know when the railroad came across the nation in the 1860? Did we know that was going to do something? No. Did we know when President Eisenhower started the interstate system in his home state of Kansas? Even though he's the President, did we know then what this interstate system would turn into and what it would spur? The answer to those then was, no, we don't know. Do we know now, I'll just say, no, we don't. But the reality of it is, it boils down to whether or not our Federal government, in partnership with our state governor -- let's face it, the local folks don't have any money and we all know that it's going to come from the feds and the State. I think what the citizens have been trying to tell people for, the last three or four people as I listen to them, is that we count. We want an investment in our area, our region and we think it's time for that to happen. And we need to make that the national will to make that happen. And we can't think Harlem, or Havre to Fort Belknap, I understand your scope, I understand that, but the reality of it is, we are talking about a vision from Minnesota to Seattle, from Minneapolis to Seattle.

That's the cold hard reality of it. I'm glad to hear this gentleman talk about Home Land Security. That's been on my mind too. I think that's a cute way to get some money. The reality of it is, it boils down to the will, if this is going to happen. And I would like that comment to be known, by whoever hears it, be it our Governor or our Federal folks, because that's what I have heard from my citizens, my citizens have told me they want this thing, more so than say they don't.

[1] PERKINS-SMITH: Thank you.

ADDITIONAL: The Economic Conditions sections of Chapters 3 and 4 of the FEIS discuss existing economic conditions in the corridor and anticipated economic impacts of the proposed alternatives. Interviews with economic development experts, industry officials, and businesses found that economic initiatives proposed for the study area have a high reliance on the highway system, and a need for safety and operational improvements on US 2, but that very few would benefit from major capacity improvements to US 2 such as additional lanes. US 2 operates at a good level of service.

No.	Individual	Comment	Response
21	Mabel Egeland	[1] Mabel Egeland. Am I right that in Montana, it is the only part of this corridor that isn't a four-lane?	[1] PERKINS-SMITH: No.
		[2] It is in Washington, I drove on it. When you go across there by Fairchild in Spokane, it's a four-lane. There's a Number 2 sign right there that says so.	[2] PERKINS-SMITH: Most of US 2 west of here is a two-lane highway. Would that be fair to say, Bob, and then it's a four-lane again. There's just a place in between that isn't it? What you're telling me.
			JOHNSON: Right.
			ADDITIONAL: North Dakota has constructed or plans to construct four lanes on US 2 through the majority of the state. Washington, Idaho, and Minnesota at this time do not have plans to construct four-lane improvements on all of US 2 in their states. Please also refer to DEIS Comments 24, Item [3] - Curtis L. Kostelecky.
22	Bob Sivertsen -	[1] Bob Sivertsen. I want to end everything on a real positive note and I want to feel good about Bob Sivertsen. I'm an optimist. It can happen but it's up to us, in this corridor, working with these people and Federal highways and DOT, we need to provide them with good reasons that's factual and cold hard facts, as Federal highways has told me, we need to provide them with that. If we don't, it's our own fault and that's why we are trying to do our best, but the positive side to this, it can happen.	[1] PERKINS-SMITH: A couple more questions.
	CAC		ADDITIONAL: Thank you for your comments.
		It's happening in North Dakota. If we have a positive attitude like Governor Hoeven in North Dakota, who took a stalled project, it stalled in 1974, and he got to be Governor. He said I want this project done. He took a hold of it and they ran into some problems with their E.I.S. and over a year ago, they started to rewrite that E.I.S. and did it again. It was approved in January or February and he was at the helm. He took somebody from DOT and said this is your project. You get it done. And so the 1st of May, they started doing the final phase, 97 miles of that project. And it's because Governor Hoeven was a proactive Governor. He said geographically, North Dakota, the northern part deserves it as much as the southern part.	
		If we could get that type of thinking in Montana, this thing would be a piece of cake. We just got to change some minds. We've got to elect a Governor that's going to support us up here finally, and that is going to be issue Number 1 coming up for us.	
		If we can stay positive and we can provide the information that they need to make a value judgment, I have faith in these people, and by golly, I know I have been a little critical, but I'm trying. I'm fighting for the life of this corridor and I'm fighting for 98 percent of the businesses. That said, we need something better. And so, if I've gotten a little bit harsh, I apologize for that. But, you know, we just have to, we just have to move forward, folks. We needed a highway for the 21st century, not a couch rail. We need a highway. And so let's get to work. Thank you, folks.	

No. Individual Comment Response

- 23 Don Richman
- [1] Don Richman. I just wanted to make one more comment. I have heard both sides say that they have talked to the businesses. There is probably only 15 businessmen left in Harlem, and I'm one of those 15 and neither side has ever talked to me. I think it's real easy to you, I would like to see some documentation of that. I am a business man. 4 for 2 I support with all my heart, but they haven't bothered to come and see me. You people say that you have talked to the businesses. It's not going to work because there won't be enough businesses. You haven't talked to me. Where are -- who's doing the talking to these businesses that you're guoting and why aren't some of those people here?
- [2] And I'm not blaming you.

- [1] PERKINS-SMITH: In terms of the economic consultants, we will give them this information and they will take a look at that.
- [2] PERKINS-SMITH: They have not been here at all this week. We have just -- we did not bring our specialist this week. That's a fair enough comment.

ADDITIONAL: Please refer to the US 2, Havre to Fort Belknap Existing Economic Conditions Report, June 2003, for a list of individuals, agencies, and businesses contacted for the economic study. Business owners in Chinook and Havre who would be physically impacted by the alternatives were also contacted.

No. Individual Comment Response

24 Senator Ken Hansen - CAC [1] Ken Hansen for the record. Debra maybe you could tell the timeline of where we are at and where we are going. You mentioned August 13, and I guess what I'm getting at and what Bob brought up a little bit, of the general election of the changing of the guard, somebody mentioned, I think you give your report and in December or give us a timeline again Deb.

[2] Yeah, I just wanted to have it brought to the people.

BOB SIVERTSEN: If we get a four-lane, you're going to get a great big Christmas present, Deb.

[1] PERKINS-SMITH: So, we are asking for comments by August 13, and the reason we have that date is we are required to have an open comment period for a certain length of time — so we need — but we also wanted to provide time, give everyone a specific date by which they knew. After that date, they are going to move forward and start taking a look at everything. So August 13, up to that time period, we'll consider comments. After that you can still submit comments, but it's outside of that comment period and we are starting to move forward. And then, as I said earlier, for the Federal Highway Administration, the current schedule is they wanted them to have everything completed in the Record of Decision, and MDT as well, by the end of this year. So we would like it before Christmas. If that makes sense. So that is what we are shooting for. Things can happen, but that's where we are all heading for right now. Does that answer your question?

PERKINS-SMITH: Just so you know, I do not get to make the decision. All we do is get information that actually comes from the agency. So, any other questions or comments?

Well, I would really like to thank all of you for coming tonight. It's a hot one. Gosh, I'm really happy to see so many people here and you have been very helpful and I think, Mick, would you like to say a few words in closing?

JOHNSON: I would like to thank all of you for attending. We appreciate all the input that you have. We can't tell you how important it is to have those. We have people walk out with piles of comment sheets that they were giving to your neighbors. Those comments are very important to all of us. I would especially like to thank some of the members of our Citizens Advisory Committee, Dolores Plumage is one of those back here. Don Swenson from the Blaine County Commissioners was on it. Bob Sivertsen was on it from the very beginning. Your Mayor was on the Citizens Advisory Committee. Senator Hansen. Those people have they given their time. They have attended meetings at night, listen to us, listen to the public, listen to their neighbors. They brought comments, excellent comments. For that, I would thank you. The consultants from Denver, Colorado, have done a bang up job for us. It's not, I'm telling you it's not an easy decision. We are hearing comments the last three nights and today this afternoon, we have heard comments throughout the process, and this is the process, this is the process of how you get involved.

We could quietly make this decision in a back room somewhere listening to the Governor, if that's what you want us to do. We do not do this. It's a public forum. It's a public comment period. That's why we are here. These decisions have been made in the past in back rooms. So I want you to understand that that we are trying to do the very best we can, and I have one goal up here these roads are unsafe. I'm trying to keep these held together. We have an excellent, we have a former maintenance employee, we have an excellent maintenance staff that's holding 50-year-old crap together. So we want, I want something built and I don't care one way or the other which one it is. So thank you all for your

No. Individual Comment Response

attendance. Please get your comments to Ted (Burch). You guys have anything you want to add?

BURCH: I just echo what Mick said. Thank you all for coming out. Get your comments, and Dolores hit it on the head, is we need your input. We need your comments if you got specifics, you know, there are sections in Harlem, we want to hear it. Thanks for coming.

JOHNSON: Thank you.

PAULSON: There is one thing I would like to say, as far as the process goes. The decision that will eventually be made will be made from the information that is in those books. That's where the information will come from that will be considered and we will make the decision based on that.

So, if you get a chance at all, take a look at those books and if there is anything in there that is not right -- it's supposed to be full disclosure. We are supposed to be telling you everything we know, so you know exactly the same thing that we know. If there is anything in that book that is not right, or if you think there is anything in that book that we missed, we really want to know about it.

(Proceedings concluded)

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2	
3	PUBLIC HEARING
4	US HIGHWAY 2, HAVRE TO FORT BELKNAP
5	FORT BELKNAP, MONTANA
6	JULY 15, 2004
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8	
9	OFIGURE
10	
11	SPEAKERS:
12	From the Firm of David Evans and Associates
13	DEBRA PERKINS-SMITH, Project Manager
14	JOE HART, Traffic Engineer
15	STEVE LONG, Highway Engineer
16	
17	
18	
19	
20	Stacy M. Ellery
21	Registered Professional Reporter
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PROCEEDINGS

MS. PERKINS-SMITH: We will open it to comments and questions. As we have done in the other meetings, we will limit the comments and questions to five minutes so that everyone can have a chance to be heard and you can ask multiple questions if you want to. With that, I think I'll open it up. I know we already had one question, so maybe if you could, state your name and we will go through that one again.

MR. CHARLES PLUMAGE: Charles Plumage. I guess I just wanted to know why the project didn't go down to Three Mile, it kind of does with what you -- with the alternatives, but I was talking about the highway?

MS. PERKINS-SMITH: So, why doesn't the highway go all the way down to Three Mile?

MR. PLUMAGE CHARLES: Right.

MS. PERKINS-SMITH: I think probably the best answer is we have something called logical termini. Gosh, where do you end this project?

And so in the Havre section, they had some improvements and so we started where the improvements ended. And in terms of this end of the corridor, 66 seemed to be a logical termini

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   place to stop because there had been some
 2
    improvements on US 2 past that. So, our study
 3
   really is focusing on US 2 and not going down 66,
   but we did want to make sure that we got through
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 5
   the intersection of 66 to make sure there is a
   smooth transition with whatever was done here on
 6
 7
   through that intersection. Does that answer your
 8
   question?
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            MR. CHARLES PLUMAGE: Yeah, but I don't
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   agree with it.
             MS. PERKINS-SMITH: For the record, is
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12
   there a reason you would like to have seen it go
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   to Three Mile, just so we know what the issue is?
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            MR. CHARLES PLUMAGE: Yeah, because of
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   safety.
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            MR. ARNOLD PLUMAGE:
                                  Arnold Plumage.
                                                   The
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   Right-of-way would be much cheaper.
                                        It's more
18
   safer, eliminate your black ice, deer problem, and
19
   we also have flooding in February.
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            MS. PERKINS-SMITH: So, you're saying on
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   a totally different alignment?
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            MR. ARNOLD PLUMAGE: Not only that, we
23
   got problems up here. If you want to improve this
   road through Zurich at reference point 413, that
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25
   riverbend right up next to the road now on the
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1
   south side.
                On the north side, you got the
 2
   railroad track. You can't widen the road there.
 3
   There is a lot of accidents and there is black ice
 4
   here.
 5
            MS. PERKINS-SMITH:
                                 Okay.
                                        That is
 6
   definitely one of our constraining areas through
 7
   there.
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            MR. ARNOLD PLUMAGE:
                                  So bypass, go
 9
   through the foothills.
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            MS. PERKINS-SMITH: All the way to Havre?
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            MR. ARNOLD PLUMAGE: Right, safe in the
12
   foothills. You also have the railroad- they don't
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   dim lights sometimes, and commuters coming east
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   out of Havre or east out of Zurich sometimes
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   you're confused for a moment. The railroad tracks
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   are much too close to the highway, plus you could
17
   save a lot of money if you wouldn't be building a
18
   lot of bridges. The example that is an
19
   unnecessary bridge, you save a lot of a money if
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   you take the south side of Chinook.
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            MS. PERKINS-SMITH: We did take a look at
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   that alternative. I think some of the
23
   alternatives -- there are still people that live
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   along US 2. They would not be benefitted because
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   US 2 would not be improved along by their houses.
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   Also, the other issue was some communities felt
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   then they would be bypassed and their concern was,
   if you bypass those communities, that would have a
 3
   negative economic impact to them. And so, they
 4
 5
   did not want their community bypassed.
 6
            MR. ARNOLD PLUMAGE:
                                  There would be
 7
   federal aid, secondary funds; that wouldn't be
 8
   totally at an advantage.
 9
            One more comment too, we are talking
10
   about the terror issue. We need a proven
   east/west route along the Northern tier. We have
11
12
   people going to and from the park. They are not
13
   concerned about stopping in these rural
14
   communities unless they have to.
15
            MS. PERKINS-SMITH: So security issues.
16
            MR. ARNOLD PLUMAGE: Why should Montana
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   be the exception? Why should they be thinking in
   the stone age? It's damn sour thinking.
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19
            MS. PERKINS-SMITH: Well, I have a
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   question for you, would it help if people asking
21
   the questions, hold the microphone?
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            MR. GRAY:
                        Yes.
23
            MS. PERKINS-SMITH:
                                 Is there anyone else,
24
   do you have another comment?
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            MR, ARNOLD PLUMAGE: All we do in the
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wintertime is go to the basketball games. I would like to see a good first class freeway going along the Northern tier.

MS. PERKINS-SMITH: Thank you. Other comments questions?

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MS. BOOTHE: I'm Anne Boothe. I represent Malta Chamber of Commence, and I guess my comment is, even though this area does not include Malta, I think that it, you know, the overall study and comments done within this region affect the entire 4 for 2 effort and we still are supportive of an expanded more than two lanes, the Four-Lane Divided or undivided. We would have a preference from our region simply because of the potential and I know that you have adverse issues related here.

One question I have in the tax revenue section, you have potential job loss. Are you just assuming those businesses would totally close? Is that what's the basis of that job loss?

MS. PERKINS-SMITH: We actually met with all the property owners, all the business owners in Chinook. We had a business owner meeting and they provided that information to us. We actually went through alternative by alternative, and they

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stated whether or not they could relocate on site
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   for that alternative or whether they would have to
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   fully relocated off site to someplace else. Part
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   of the issue for them, there is very little
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5
   frontage on US 2 because of the bridge on one end
   and the fairgrounds are on the other end, so they
6
   are very limited in terms of frontage.
                                            They can't
 7
   relocate, on the north, because of the railroad
8
 9
   and also due to the HAZMAT sites on there.
                                                It's
   very difficult for them to relocate, so they
10
   provided that information to us and the
11
   consultants tabulated it.
12
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MS. BOOTHE: So they specifically said -MS. PERKINS-SMITH: They specifically
said this is how many employees that we have, and
that's where we got the information.

MS. BOOTHE: But they said that they would eliminate those positions?

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MS. PERKINS-SMITH: They were concerned, gosh, where do I relocate to. I mean my business relies on highway travelers and I can't relocate on US 2. Maybe I could relocate in Chinook, but it's not likely. So those are the ones that we identified as being impacted. John?

MR. HEALY: My name is John Healy. I'm

the Transportation Planner for Fort Belknap. I guess what I would like to enter into the record, I will give a copy to the recorder also.

I'm also on the Highway 2 Association, which I'm sure you're familiar with. I'm also the representative on the CAC committee, and I guess one of the things we talked about through the Highway 2 Association was approaching the Tribal Leaders Council to see what they thought of the Highway 2 issue. They brought it up on their agenda the other week at their meeting. I'm going read into the record their position on it:

"The Montana-Wyoming Tribal Leaders
Council has been created for the Express purpose
of providing the Indian Tribes of Montana and
Wyoming with a Unified Voice and Collective
organization to address issues of concern to the
Tribes and Indian people on a state and national
level.

Whereas the Montana-Wyoming Tribal

Leaders Council is comprised of duly authorized

representatives of their respective Tribal

Governments." And has Tribal Council -- or excuse

me, the Tribal Leaders Council is composed of the

reservations in Montana and Wyoming.

"Whereas, transportation is a vital part of the Reservations infrastructure and adequate transportation facilities are essential to sustain and maintain the social and economic well being of Tribal members to provide the essential services required to meet their needs.

And whereas, the Transportation
Sub-committee and the Montana-Wyoming Tribal
Leaders Council are aware of efforts by the
Highway 2 Association in reference to the 4 for 2
Project, in that it may revitalize economic
activities along the Hi-Line and the four Indian
Reservations. The transportation sub-committee
realizes that transportation and economics are a
vital part of our infrastructure.

And whereas, the Montana-Wyoming Tribal Leaders Council is aware that there has been a Draft Environmental Impact Statement issued on Phase I of this project.

Therefore be it resolved, that the Montana-Wyoming Tribal Leaders Council supports the concept of the project and the recommendation by the Montana Department of Transportation that the US Highway 2 be expanded to four lanes between Havre and Fort Belknap.

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             Signed Geri Small, Chair, Montana-Wyoming
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   Tribal Leaders Council." Thank you.
 3
             MS. PERKINS-SMITH:
                                 Any others?
             MS. DOLORES PLUMAGE:
                                   Dolores Plumage,
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 5
   Blaine County Commissioner.
                                  I want you to
 6
   clarify to me the four-lane as it comes into Fort
 7
                     It gets down to two lanes with a
   Belknap Agency.
 8
   passing lane, as it is, and I would like to go
   further and state, I'm not sure if -- I mean I
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   think that a four-lane going past the agency is, I
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   like that idea. And I'm not sure if you would go
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   past, I would like you to go all the way up to
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   Boots Gas Station passed that because the Fort
14
   Belknap Agency I think is still not finished
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   growing.
             We have a population that is increasing.
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   I see in the future that we will have more
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   services, more businesses here at the Agency.
                                                    And
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   to accommodate that growth, I feel like there
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   should still be more of an expansion of the
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   highway.
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            And I would also like to say in our, for
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   our area here from the Fort Belknap Agency, there
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   are many private vehicles and school buses that
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   leave everyday during the school year, bussing our
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   children to the Harlem schools.
                                     There is just a
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lot of traffic, and as parents, we have always been concerned. Over the past 20 years, we have gone to the Harlem school, wanting to be reassured that their buses are in the best of condition. have always been concerned about our children being on this three mile stretch between Harlem and the Agency. We also have many commuters who work at the Fort Belknap College for the Fort Belknap Tribe, Indian Health Service, and the Bureau of Indian Affairs and these commuters come from Malta, from Havre and Chinook. And we also have people here who travel to these other towns, including myself, there is always, there is so much traffic and it's risky out there everyday. I would also like to state that the few minutes that I have gone through at the tribal

I would also like to state that the few minutes that I have gone through at the tribal council, they are always working towards economic ventures. And I see that if there would be an, I know that there is probably plans to economically develop their resources here, and so this would require that we have the best transportation for our infrastructure so that we would be able to have adequate linkages across the state.

Ambulances, they said last night they mentioned in Chinook the ambulance service. The

1 emergency vehicles were in a unique position. 2 Here at Fort Belknap, because the ambulance 3 service is required from Hays and Lodgepole areas, when they come here, sometimes they have to be 4 5 referred to Great Falls or then from there aired 6 back to another hospital facility. So, it's 7 really important that we have, again, good 8 transportation service because we are so isolated 9 from adequate medical care.

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I would also like to state that three miles away in Harlem, there's the Albertson's store. Our population here impacts our local businesses immensely. Albertson's is still open due to the fact that there is such a large impact of the reservation, of them doing business and even during the winter storm -- we had a terrible winter storm this past year. I went shopping there and most of the shelves were empty. couldn't make their deliveries and so, it's really important. Again that was -- that was a life and death situation in our area for our people here on the reservation, especially those that live even in more remote areas to the south of us. We need a good highway and I fully support the four-lane. I believe that the State and Governor Martz and

whoever will succeed her after that, it is possible that we can acquire the funding.

And then my question remains to you, again, about the highway going further past where that intersection is. Thank you.

MR. LONG: Well, as Deb had mentioned before that, we had to pick a logical termini for the project and we had to look at how the existing conditions worked for this area in front of us. So with knowing that the logical termini was 66 and we were bringing in alternatives, primary four-lane alternative, how do we stop that as to end up a two-lane section. We felt that dropping those out lanes, turn lanes, was a good engineering decision to do that.

Also, we were really conscious about the need to expand the highway in this area because it's very difficult to acquire Right-of-way from a reservation. So making sure that we were trying to limit our impacts in that area was another reason, unless we get outside of something that just won't work. It's hard for us to justify just make it wider to make it wider, because it's so difficult to get that Right-of-way. So, those are the reasons why we picked to try to transition

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through this area, rather than take four lanes plus an extra lane after this area.
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MR. SIVERTSEN: Bob Sivertsen, for the record, Stacy.

As we look at this E.I.S., I have been a 5 member of the CAC and have been involved in this 6 thing since day one, as John Healy has been as 7 well. And then, of course, the Highway 2 8 Association has really been involved in this 9 thing, I'm pleased to say that John Healy has been 10 on the board of the Highway 2 Association. 11 Representative Frank Smith has been on the board. 12 We have a lot of good feedback from the 13 reservations on this. The Highway 2 Association 14 15 has directors from each of the counties, or we're 16 short two from the counties right now. There is ten counties in the corridor, plus the four 17 reservations and in being involved in this since 18 day one, and since Senate Bill 3 was introduced 19 in, and Representative Smith was really involved 20 21 in that, as well Senator Sam Kitzenberg in 22 When Senate Bill 3 was introduced and passed and signed by the Governor into law, it 23 directs the DOT, as she has said to construct a 24 four-lane highway in the Number 2 corridor. Ιt 25

also directs the DOT to seek Federal funding.

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But, the E.I.S. is flawed and incomplete. And by their own admission it is, but that is where David Evans and ICF don't have to accept the blame for that, is the fact that they have told me that they have done everything they were told to do. They have followed the role and scope of the work order that they had.

So, that being a given then, the finger has to point at the administration, the present governor and the head of the Department Of Transportation. So, this E.I.S. is coming out and recommending an Improved Two-Lane. They don't even meet the criteria in the purpose and need. How many people do you think agree that a two-lane highway is going to provide an efficient highway to support economic vitality? I haven't heard any business people agree with that. DOT currently is hoping other individuals, not involved in the business world, to support their preference, of which is an improved Number 2. DOT did come out and recommend an undivided Highway 2 or four-lane highway on Number 2, but he stated very clearly that they did it because of the law.

since the introduction of Senate Bill 3 is the 1 Improved Two-Lane and they are trying their 2 darndest to this day to circumvent that law. 3 Highway 2 Association takes exception to it and we 4 raised some valid points and we hope that they get 5 considered in the final draft of this E.I.S. 6 because we weren't satisfied with the way this 7 We decided that we needed E.I.S. was being done. 8 a second opinion, so we hired our own consultant 9 to take and do a study and the reason that the 10 E.I.S. is flawed, is because of Senate Bill 3 11 addressing the corridor. 12

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That E.I.S. would not analyze the affects of four laning in the corridor. They would only look at a 45 mile stretch between Havre and Fort Belknap here. That doesn't give you a very good feel for economic development because a four-lane highway that goes nowhere, we all know what that will do, sure we do, because of their failure to do that we felt compelled that we needed to look at our resources in the corridor and to take and then state the many opportunities for economic development that could come about. You people on Fort Belknap here to Fort Peck to Blackfeet and Rocky Boy have a lot of resources that haven't

even been touched yet. There's job opportunities here. The Federal government has an obligation to provide jobs. You can't do it if you don't have a decent transportation system. That is the first step in economic development.

I would like to introduce to you Hal Cooper, our consultant. He is going to just give you a brief overview of the contrasts between the E.I.S. and the Cooper report. He's from Kirkland, Washington, been an engineer and been involved in energy development, economic development from all the way from Texas to Alaska.

MR. ARNOLD PLUMAGE: Just a moment, you talk about our reserves on the reservation -Arnold Plumage again -- you talk about the resources on the reservation. What happened to our gold out there in the Little Rockies. We got nothing from that.

MR. COOPER: Hal Cooper. Thank you very much for the kind introduction. I did the study for the Highway 2 Corridor Association. I was hired to propose an economic development plan and also to do a critique of the E.I.S. I thought I was talking to the microphone.

First of all, there's some changes in the

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report that were brought to my attention by
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                     I've got to make sure we got the
   Dolores Plumage.
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   tribes correct. The Blackfeet Reservation has the
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                      The Rocky Boys Reservation has
   Blackfeet Tribe.
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   the Chippewa Cree. Fort Belknap has Assiniboine
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   and Gros Ventre and Fort Peck has Assiniboine and
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           Now, we got them all straight I hope.
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            I made a proposal for an economic
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   development plan for the US 2 corridor, which was
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   something that really was not made in the E.I.S.
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   and it's based on energy and industrial
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   development and I'm proposing that we build a coal
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   and wind generating facility. We build a new
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   transmission corridor, so we can move electricity
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   from North Dakota and Montana to the West Coast.
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   That we add manufacturing and that the State of
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   Montana, North Dakota, South Dakota and Wyoming,
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   in conjunction with the provinces of Alberta,
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   Saskatchewan, of Canada get together on energy
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   development. This proposal would have a Four-Lane
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   Undivided Highway, a double track railroad, and an
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   electric transmission corridor.
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             Now, I reviewed the Environmental Impact
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   Statement and pointed out there are several
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   shortcomings. Traffic growth rate is based on a
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continuation of the status quo and that's basically with very minimal economic development. We need to have a different plan. The truck operating costs going across this corridor. First of all, we are going to save two and a half hours of transit time compared to going I-90 and I-94 between the west coast and particularly eastern Canada. We save 9,000 feet of mountain climbing passes. There is only one on Highway 2 and there is three on Interstate 90.

My estimate is that you would save something like a \$1.25 per truck trip and somewhere over five to ten gallons of fuel by going that Highway 2. If we had a decent highway that particularly affects this proceeding today at Fort Belknap Reservation.

There wasn't enough specific information on the population demographics, population trends, employment, business, both in the present and the future. And we do not have an adequate economic development strategy for this region. And especially severe, that affects this particular hearing today, is the potentially severe economic and social impacts fall scarcely on the reservations along this corridor if we do not

adequately develop the economy and that's going to 1 require expanding our transportation capacity, 2 road and elsewhere. And in this particular 45 3 mile section, particularly the Fort Belknap 4 Reservation, and there is a vital flaw in this 5 study as Bob pointed out, is that we are only 6 considering the 45 mile stretch as compared to the 7 And we save 40 miles. A truck could 8 666 miles. go from Spokane from North Dakota going on to US 9 10 2, as compared going by way of Interstate 90, 94 11 route.

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I did a relatively extensive study of the valuation of how is the Highway 2 corridor going to impact the reservations in terms if we develop it adequately, as compared if we don't. The populations in this Indian reservation, on these eight counties, is due to increase from present, 25,000, to between 35 and 40,000 by the year 2030. That's on the reservations. The non-reservation population is due to decrease from 68,000 to 64,000 during this same period. And the result is the Native American percentage of the total population in the corridor is going to increase from 25 percent at present to between 25 and 40 percent by the year 2030. None of this is

mentioned in the E.I.S. and it certainly should be.

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Now, let's look at the question of employment. Doing nothing, other than continuing the status quo, presently what we are doing now, and Dolores brought this up, that there is going to be more services even under that scenario required here at the reservation and activity and business. But the number of jobs that is expected from 3700 today, to 5700 in the corridor between 2000 and 2030. What is it that we need, the number of jobs needed, is not going to be 3700 it's more like 7900, that's today. And that's due to number to about 14,000 in the year 2030. job gap, in other words, what we have versus what we need, is due to expand from 2000 jobs deficient now to over 8000 by 2030 on the reservations. that's going to multiply the social and economic problems without adequate transportation, without adequate development and it squarely falls on the reservation.

We need to create new jobs. Roadway construction itself is one of them, plus the transportation benefits once we complete the road construction, we need to have energy development

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We need to have industrial
   on the reservation.
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   and manufacturing. We need other job activities
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   to create jobs and it all requires with
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   transportation, I would suggest trying in Montana
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   and in North Dakota, that they might consider
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   forming some sort of energy development authority
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               One possibility would be this
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   among them.
   northern shore electrical type.
                                    This program
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   would be funded. We would reduce the unemployment
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   on the reservation from the present of over 50
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   percent to less that ten percent by the year 2030
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   and we would dramatically reduce the amount of
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   social security, plus the fact that they would be
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   much more self-sufficient.
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I want to make some final points. The roadway expansion of US 2 by itself will not bring economic development, except through traffic and some tourism, but without it, the necessary economic development cannot take place across Northern Montana.

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If this expansion takes place, it is going to be especially beneficial to the reservation and to outside population as well, but if it's not done, the adverse effects are going to most squarely fall on the reservation. This is

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something that is not discussed in any detail in
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               Perhaps that's beyond the scope to a
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   the E.I.S.
   certain extent, but I think population
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   demographics and meeting employment tax are a
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            The proposed expansion of the US Highway
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   2 corridor is essential for this energy and
 6
   industrial development to take place, and I
 7
   propose a northern strategy for energy development
 8
   for this country, meaning our states in Montana,
   North Dakota, Wyoming, plus Alberta and
10
   Saskatchewan and Alaska, work with Northern
11
   Canada, is an essential thing for this country.
12
13
   Certainly better from importing oil in the middle
14
   east and spending 120 billion dollars a year
15
   keeping the world safe for cheap oil, as we are
16
   unfortunately doing now.
            We need to build a new transmission
17
18
   corridor, and I would suggest that whoever the new
19
   governor of Montana becomes, should invite the
20
   Governor of North Dakota, plus the three others to
21
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come together and have an energy conference after that first season inaugurated, next year. And one of the ideas on the agenda would be to get this corridor to a four-lane.

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One final thing, I know it's not part of

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the E.I.S. proposition, but it needs to be done.

We need to have a complete and total

identification and inventory of the oil and gas in

this corridor. Thank you.
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MS. DOLORES PLUMAGE: Dolores Plumage, Blaine County. After the meeting in Chinook last night, I was visiting community people and one agency person, this was Federal Highways, and one of the questions that the highways had for community people is what is Chinook going to do? And Chinook had 60 people at their meeting, and it was similar to this, there were many opinions. After the meeting, I was thinking about that, what is the correct way to, from these meetings with the comments made, how are we supposed to relate back to the agencies? What are they expecting from the communities? Because we have gone on record, sent in from the elected officials, we have sent in written documentation and now we have written documentation from the Montana-Wyoming Tribal Leaders and that question baffled me, because I know that bureaucracy operates differently and they may be expecting maybe there's a different approach that we are missing. And to help our communication, I want to bring

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that comment forward to help us so there is not a
 1
         So my question is back to the Federal
 2
   Highways, or to DOT or to the State agencies, is
 3
   what are you expecting from us? What more do you
 4
   want from us so that we will be heard? Because we
 5
   as officials, we are trying to provide the
 6
 7
   information the best way we can, and if there is
   still gaps, please assist us and have further
 8
   communication with us because I thought that the
 9
10
   last two meetings, I think in Havre and then in
11
   Chinook and now here we are, this is a relatively
12
   good turn out. What's more, and perhaps Debra can
13
   assist us from that input, is how can we close
14
   that gap and provide our own highway communication
15
   back to these agents and if we are missing
16
   something, please let us know because we will
17
   certainly make changes so that we can be heard
18
   from one side to the other.
19
            MS. PERKINS-SMITH: Dale, how about if I
20
   again reiterate how people can provide comments,
21
   but then maybe if you want to, talk about the
22
   agency perspectives, from the mayor or
23
   commissioner or something.
24
             In terms of the process where we are now,
25
   we have what is called a comment period and it
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goes through August 13, and as I said earlier, 1 there are several ways you can comment, either 2 through the question and answer period right now, 3 and Stacy is transcribing that. If you have a 4 comment form there, and there are plenty more out 5 at the entryway there, you can make written 6 There They all carry the same weight. 7 comments. 8 is also the ability to take those forms away and distribute them, have people send them back in. It's a good sheet of paper because it has the 10 address on it and where to send the comments. 11 can submit comments via the web site, which is 12 13 also listed on that sheet of paper. You can talk 14 to us individually after the meeting. We take 15 those comments down. So comments come in various forms and various ways. We take those comments 16 all into consideration. And just so that you 17 18 know, we have already had a number of comments over the web site and that sort of thing. 19 20 addition to these meetings here, there are other 21 comments that come into different ways, and they 22 come in from agencies, individuals organization, 23 like for instance, what is it, Smart Growth 24 Montana has already printed a letter and that sort 25 There may be some other things. of thing.

is there that you see.

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The Yeah, Dale Paulson. 2 MR. PAULSON: Citizens Advisory Committee that we put together I 3 think is a very very strong organization. 4 your organization to comment to us and I think you 5 can use that even better than what you have used 6 7 and it's not too late. I think you can get the Advisory Committee together and make some uniform 8 comments to us from the Advisory Committee as 9 advised, but we take it as advice, but it's a very 10 strong way of getting information to us. 11 one of the things I was talking about last night. 12

My name is Arthur MR. STIFFARM: Stiffarm. I'm a community member here at Fort Belknap. A couple things I looked at this E.I.S. and this critical review, the one that Mr. Cooper has eluded to. I think they are both flawed. thing that she just mentioned before is she didn't look at the land acquisition concerns when it comes to tribal, or what I call Federal trust land, either individual tribal trust land where this highway will go in this, the aquisition of They didn't look at it. If they did, it's it. definitely going to concern, not only individual landowners, but those people who lease it. The

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cost of it, its appraisal, we do not have an appraisal system here yet, but that has to be rectified before we even start getting to an appraisal process.
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Now, as far as statistics, the Cooper report is seriously flawed. You just look at table Number 2 in there, you see that you don't have all the tribes correct.

MR. COOPER: That's why I made that announcement to correct it.

MR. STIFFARM: If you can't get the tribes right, all the other information is, the tribes themselves, will not be right.

MR. COOPER: That's why I made the announcement about the correction.

MR. STIFFARM: You didn't reference where you got this information on population growth. Is it using the census information, which is once every ten years, and they only separated Indian in the specific residential use number of witnesses or units to be measured in 1990 and 2000 to make a population projections, using just the ten-year period is going to be seriously flawed. The economic census comes out once every five years, the next one being 2005. And that one 2005 they

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haven't yet figured out how to separate Indian
1
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   country out of the specific units, the
   measurements. So I'm not sure what type of
3
   information you're utilizing, which I wish would
4
   be a lot better. Reading that report, the only
5
   reference I know of as far as unemployment goes,
6
   that we have to use at Fort Belknap is Bureau of
   Indian Affairs. What was supposed to be done once
8
   every year for us as a trust responsibility by the
9
   Bureau of Indian Affairs, through they are not
10
   done for us every year. And their manner of doing
11
   it is at the less cost possible to them.
12
            Again, you use the less cost, you're
13
   going to get a less best survey. In this case, a
14
   labor force report that we have to utilize for our
15
16
   funding sources.
17
            MR. COOPER: I don't have any access to
18
   any of that information.
19
            MR. STIFFARM: They will get you that
20
   information for you and provide it to you. And
21
   I'm a representative from Fort Belknap on your
22
   Committee US 2, or CAC.
                             He has all of that
2.3
   information.
                         None of that information was
24
            MR. COOPER:
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made available.

Anyway, those are the two MR. STIFFARM: 1 things that I wanted to bring up on behalf of 2 Indian country. They didn't quite go all the way 3 on Indian country and that is the 45 mile corridor, but if you look at the whole 666 miles 5 you go through four reservations and you have to 6 look at some of those things to get the complete 7 impact. 8 MR. COOPER: I didn't have access to any 9 of that information. That's all I would say. 10

MS. PERKINS-SMITH: Any other comments or questions?

I think there was someone over here a couple times had a hand up.

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MR. ALLEN: My name is John Allen and I'm an enrolled member here at Fort Belknap. I want to say anything, I say it is in my opinion, it isn't anything representative of the tribe or anybody else.

You might want to tell Dr. Cooper that

Assiniboine Nation is not Assiniboine Sioux. They
are only distinct tribes, our associations -actually, they are bitter enemies, used to be
historically and so, you know, a lot of your info
according to Native Americans seems not to be

updated or accurate. I suggest you find the right sources to correct that.

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Myself, I'm not really for the four-lane I think the two-lane highway is adequate, providing they put some good shoulders on it and upgrade it. You can go north of here and run into the interstate, 200 miles south and run into the interstate. Basically, if you look at the map, there is a nice little hole in the middle of Montana and rural America and I would pretty much like to keep it that way. All the towns here are drying up. They are all retirement towns. Havre may be a hub or a bigger town. know when people come through here, they are not stopping at Fort Belknap or Harlem or Chinook. They are not going to vacation here. They are headed straight for Glacier Park.

I can see, good reasoning for them, I want to put it from Fort Belknap to Havre. Every two weeks, Fort Belknap kicks out a multi-quarter million dollar payroll and there is no services here outside of Albertson's and all that money goes to Havre and that's just counting the tribe. That's not counting the government, IHS, BIA or other agencies or the school system over at

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Big payrolls leave here, and none of the
   Harlem.
1
   money stays here. It goes towards Great Falls,
2
   Billings, Havre, and Havre benefits real lots.
3
   don't know if they appreciate it or not. A lot of
4
   these towns don't appreciate the Indian dollar
5
   that comes from these Indian reservations.
                                                I know
   Rocky Boy probably contributes the same amount.
7
   Economically, if you were to look at it, the
8
   Indian tribes really uphold the economic system of
9
   this area here, outside of ag. You know, this is
10
   ag country, and ranchers and farmers and stuff.
11
   And you can see with my hat, I'm kind of a western
12
   quy. And I kind of favor the rural. All the
13
   places I've seen and I have driven on the
14
   interstates and so have you, you miss an exit it's
15
   another five miles down the road for you to get
16
   turned around and with these small towns, you got
17
   to go to the next town to buy your pop or go to
18
   the bathroom or get some gas. So, I don't see us,
19
   Harlem, or Chinook, having three or four exits.
20
   Basically Great Falls and Billings barely have
21
22
    that many exits.
             Basically, everybody just drives by at
23
    75, 100 miles an hour. You can blow your hat off,
24
   when you're standing on the road there. I'm not
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really looking at any type of benefits from this, with all the growth 50 years down the road, it might happen, but right now with the population drying up, especially the white population, most all of these towns will go into Class C.
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Now, there is just elderly in there, you know, it's a cheap place to live. All the schools are getting smaller, grade schools are getting Indian country is growing up a little smaller. bit, but still I don't see the population exploding that much. Baby boomers are become of age now, maybe we will get a few retirees, you know, that would be a benefit. I'm not really certain if that will happen. So basically, you know, I prefer the quiet rural life and I hate to see too much civilization in here. And I didn't look for no K-Marts to move into Chinook or Harlem, or Wal-Marts or what have you, you know. So I think we are all going to have to get used to driving 100, 200 miles to get any type of services and we all grow up that way. It's nothing for us to jump in the vehicle and run to Billings and back in the same day. And, you know, basically we should be working on roads and that direction instead of for tourism industry that only pulls in

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here for three months out of the year. I don't really see us spending all our tax dollars consistent on that. Thank you.
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MS. PERKINS-SMITH: Other comments, I saw some other hands.

MS. DONEY: I'm Gloria Doney. represent the tribes of Fort Belknap. You know, sitting here listening, I understand that when you come to do a study on the reservation, I know that you're not access -- you think you're not privy to a lot of information but all you have to do is We are very open. We try to help anybody and everybody who wants to understand us, to understand us. And, you know, I was sitting there listening and I heard economic, economic, economic. You know, development and it's like, in trying to get us to decide, hurry up and decide, or come on get on the bandwagon and decide, do you want an Improved Two-Lane highway or do you want a There was a lot of economic, the word 4 for 2? economic development, you know, included in that. And it made me sad to hear that the study said that if, you know, the payments from social services would decrease if we had improved highways.

You don't know that. We are hoping that it might, but how do you know that we even have payments coming out of social services. You know if you're not privy to other information, how can you make that statement. But I just wanted to let you know, that I have been on the council for two months, and it's been a learning process thus far.

And I know that even if you sat on the council for four years, eight years you still wouldn't really understand everything that pertains to the reservation. But I would pray that this, you know, the improved transportation system that we're hoping to receive, that we will come together, all of us will come together, you know, for the benefit of everybody up and down the Hi-Line. We see motor homes just sailing through the reservation. Will an improved highway cause them to stop here, or like John said, will it just cause them to speed up, you know, as we are standing at the highway waving, it will just blow our hats off.

You know, so yes, we do want to see an improved highway. But we also want to see, you know, how can we work together as a whole as a rural people, you know, so that we could figure

out a way to draw people to our communities. We want them to stop at our reservation because we are proud of it. You know, we want them to come in, pull into the Quick Stop, pull into the rest area, pull into the tourism and stop and take some time to visit with the people that are there.

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We want to draw them into Harlem. mean, we go into Harlem and if you drive down Main Street you don't want to blink too long or else yawn because then you're going to miss the main thoroughfare of Harlem. You know, the businesses are drying up. For me, as you know getting ready to retire, I don't think I'll be able to retire, as the word retirement says but the definition of retirement, but it's a nice quiet place, but we want people to come and get to know us. So this highway that, you know, this bill, you know, we need people to come to have easy access to us. You know, for us to have easier access and better access when we need services, up and down the Hi-Line.

So we are hoping that this highway won't divide the communities up and down the Hi-Line but it will bring us together. So that we can work together so that the Chinook community, the Havre

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community, the Fort Belknap community, the Harlem
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2
   community, we can all say, this highway is going
3
   to benefit us. And when we make that statement,
   us includes all of us, not just Fort Belknap, not
4
   just Chinook, not just Havre, but it will include
5
   all of us. You know, it's got to be beneficial
7
   because maybe by the time this is funded, of
8
   course, there is always, they hang out a carrot to
   you and then there is never any money behind that
9
10
   carrot.
11
            You know, saying that Highway 2 needs to
12
   be improved, yes, it does need to be improved. I
13
   mean we look at the statistics. I had a brother
   that was in an accident. He was killed down on
14
15
   Highway 2. But I don't know that, you know, it
16
   would have been nice to have a better highway, and
   it has been improved since he died.
17
18
            But we have to, we have to come together
   and say, okay, all these communities that come
19
20
   forth from this, from these meetings, we all need
2.1
   to write a letter, to not only the mayors, the
22
   tribal councils. You know, all these
23
   organizations we all need to tell them band
24
   together as one group and go to the Federal
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government, and say okay, these are the statistics

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on Highway 2. You know, and but now we need some
1
          We want to do it. And a large body of
2
   monev.
3
   individuals going forth as a group, I think we can
   make a difference rather than being fragmented and
   having a lot of little voices, some groups they
5
   have a large voice. Well, I don't think you do.
6
   I don't think we do, but together that voice
7
   definitely has to be heard and we'll be heard.
8
 9
   You know, so from all these community meetings,
10
   you know, I pray that we all, that voice becomes
         And that we begin to make that funds a
11
   possibility, because together I think that we can
12
           And it will be beneficial to all of us to
13
   do it.
   the economic development in all of our
14
   communities. And it will benefit maybe not quite
15
   so much some of us that you know, sitting there
16
   with frost of many winters, but our children will
17
   see the benefits, definitely.
18
            And then our children will begin to say
19
   as they grow up, you know, I want this business,
20
   because there's, you know, the highway is so good.
21
   They see so many passing through that I can
22
   benefit now, you know, this is what I want to do.
23
   My dream is not an impossibility then but I thank
24
   everybody for coming to Fort Belknap to the
25
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meeting and let's really join together and begin
1
   to make this highway a reality. You know, it can
2
   happen. If we say, okay, let's all walk together
3
   and make our voice loud and make it unified.
4
5
   Thank you.
                                 Thank you.
            MS. PERKINS-SMITH:
6
            MR. SMITH: I'm Frank Smith from
7
   Assiniboine/Sioux Fort Peck Tribal Council, and
8
   I'm here representing the Roosevelt County
9
   Commissioners. They have asked me to come.
10
   have several questions here, I'm not going to
11
   argue with Ms. Smith back here, on some of the
12
   things we said we write to them we get an answer.
13
   When they did the review for truckers, I wrote to
14
   them, asked them which scales they did it at.
15
   never did get an answer.
16
             The report here, the graphics you got
17
   shows that they show all the losses, the
18
   background of it. I don't see anything in here
19
   that could begin. Also, in the whole program I
20
   don't see anything on leakage for different
21
   communities. What flows from here into Havre and
22
   what flows from here into Malta.
23
             We are talking about economic
24
                  This isn't an interstate like was
25
   development.
```

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mentioned before. It goes through town, and don't
1
   bypass. Designed to take -- you probably know by
2
   now, I helped get the bill passed. Anyway, I'm
3
   going through, I never got the full E.I.S. Report,
4
   but I was reading Hal's here, and on the Figure 2,
5
   he's got exactly what I said at the first hearing
6
              We don't have near the mountains to go
7
   over if you stay on Number 2, plus you got 40
8
   miles less you save anywhere from 8 to 18 gallons.
9
   When I went from Spokane to North Dakota that's a
10
   lot of gallons now a days in fuel, plus mileage
11
   and going down in, there is a quite a few things
1.2
   that are very good ideas.
13
             If you go back to 39, in 1941, which is
14
   before I was born, not much though, to 2001, you
1.5
   gave four and a half times more traffic and then
16
   they go over an interstate Number 94, even with
17
   all the improvements on there, they only gained
18
   twice as much traffic. With our population
19
   growing out here in our reservation, I figure this
20
   is something they should be looking at. There's a
21
   lot of information to be gotten from BIA tribes,
2.2
23
   they got very good records.
             I would like to see them pull the report
24
25
   sometime and maybe I can read up some more.
```

```
just going through with transportation and reading
1
   Hal's report here. And I think his is pretty
2
          Thank you.
3
   good.
            MS. PERKINS-SMITH: Any other comments or
4
5
   questions?
            MS. BOOTHE: Anne Boothe from Malta.
6
7
            You commented that the Montana Department
   of Transportation is in support for us going on
8
   support of a four-lane because that is what is met
9
   in Bill Number 3.
10
            What is the proposal for funding now?
11
   mean, is there going to be an effort by the
12
   Montana Department of Transportation to enact
13
   changes within the legislature so that the State
   can participate in that? And what, if that's
15
   their directive, if they support highway, the four
16
   lanes, how will they move that forward?
17
            MS. PERKINS-SMITH: I think there are a
18
   couple of questions there, and let me see, if I
19
   sort through them. Based on the bill, Federal
20
   money, there is no funding. But based on the
2.1
   bill, it says they are directed to seek funding
22
   from the Federal Government. So, that would need
23
   to occur, but that instructs the type of funds
24
   that they can get, set aside specifically for
25
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So, that's the limitation due to the bill.
            Now, in terms of the two-lane, I think
2
   you're asking is there funding available for those
3
         And, Doug, do you know the specifics in
   terms of what's already been identified in the
   future program for a two-lane highway?
6
                         I guess I can speak to the
7
            MR. WILMOT:
   specifics of the funding right now.
                                        There was
8
   projects or there are projects set up throughout
9
   the corridor that you understand the two-lane
10
   scenario were in the long range plan although they
11
   were not in the funded plan yet. Anyway, as soon
12
   as we get an outcome on this E.I.S., we will seek
13
   funding for either of the alternatives through the
14
   sources that are available.
15
            MS. BOOTHE: Who makes the final
16
   determination on the E.I.S.?
17
            MS. PERKINS-SMITH: Federal Highways
18
   Administration makes the final determination.
19
            MS. BOOTHE: How weighted are public
20
21
   comments?
            MS. PERKINS-SMITH: The public
22
   comments -- let me just describe the process.
23
   Those come in. We actually have a database.
24
    take a look at every single comment, kind of group
25
```

```
For instance, from agencies we may get
1
   them.
                             There's is a group about
 2
   comments about wetlands.
              There are other comments, and then we
3
   wetlands.
   go forward with MDT and FHWA to look at each of
   those comments and the first thing we say is that
   information would that match something that was in
 6
   the E.I.S.? If it does, we will match that
 7
   particular in the E.I.S. and then the next step
   is; gosh, we look at all that information.
 9
   we make a different decision, or based on what we
10
   have heard is there a different decision, now
11
12
   what?
            There is a chance to refine their
13
   thinking in terms of the preferred alternative,
14
   and only one preferred alternative can come out of
15
   this process. So in order to do this, the
16
   agencies will have to come together on a single
17
   alternative. Now that single alternative could
18
   have different answers in different places along
19
   the corridor, but there will be one
20
   recommendation.
21
                          Is there any specific way to
22
            MS. BOOTHE:
   categorize this could come down to specifically to
23
   available funding, you know? I quess bottom line
24
   is, I really want to know how comment and
25
```

```
perception within this region is weighted?
            MS. PERKINS-SMITH: I quess I would have
2
   to leave that up to FHWA and MDT. They look at
3
   each comment. Its like anything, I quess if they
 4
   feel there isn't going to be any funding, you
5
   know, they have to take that into consideration.
 6
   Does that mean that they go forward and make no
 7
   improvements on the highway, or is there something
8
   else they can do? There is nothing that says you
 9
         One more thing, and that's why we have this
10
   wait.
   huge huge list of factors, is just trying to get
11
   the information out so that they can take a look
12
   at it in its entirety. I know Dale wants to
13
   respond to that. Is there anything you rate more
14
   than anything else?
15
            MR. PAULSON: No. That's pretty much the
1.6
17
   way it is.
                          How will the alternative
            MS. BOOTHE:
18
   economic plan be, you know, considered in this
19
20
   option?
             MS. PERKINS-SMITH:
                                 That's a good
21
               This is new information, new to us.
22
   question.
   But anything else that comes up, some information
23
   we'll take a look at it, see if that would match
2.4
    anything that we have done, that we have done to
25
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If it does, we would match that information
1
   date.
                  The other thing is, we will send
2
   to the E.I.S.
   that onto the economic consultant so that's the
3
   specialist in terms of economics on this project.
4
   And we will send that onto them to look at and
5
   give their opinion, as well as the economic people
6
   for FHWA and MDT. So we will take a look at that,
7
   just like they would at any other information.
8
9
            MR. SMITH:
                        My name is Frank Smith again,
   and as I said I haven't read the report. But did
10
11
   you do any interviews at the colleges or the
   Chambers and Commerce and see where they are
12
13
   planning on going?
            MS. PERKINS-SMITH:
                                 There were several
14
   supporting documents that were developed over the
15
   last two years, in terms of economics. And as
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   part of that, surveys were done with the
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   Universities, as well as a lot of some, of the
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   major business owners and the Chambers. And all
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   that's documented in the ICF report. I can give
   you that citation if you would like?
2.1
                         I mean on the corridor.
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            MR. SMTTH:
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            MS. PERKINS-SMITH: Yes.
                                       You mean
   outside this 45 miles?
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25
                       Yeah, or like the community
            MR. SMITH:
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college here.
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            MS. PERKINS-SMITH:
                                Yes.
                                       In fact, we
2
   talked to the community college and we actually
3
   included information on the development plans.
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   And as Steve went through earlier, some of the
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   changes that are proposed here at Fort Belknap
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   were to accommodate some of those proposed
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                       So that information is
   development plans.
8
   included in the report and was taken into
 9
   consideration.
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            MR. SMITH: Did you look at the tribe's
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   five-year plan or anything?
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            MS. PERKINS-SMITH: Yes, we did.
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             Any other comments or questions?
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             MR. ARNOLD PLUMAGE: Arnold Plumage.
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   have been talking about funding. Our first step
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   is to get our boys out of Iraq and reduce our
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   military force and get the money back home where
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   it belongs.
             MS. PERKINS-SMITH: Any other comments or
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    questions? I think John had one back there.
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                        John Healy, Fort Belknap.
             MR. HEALY:
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   guess, just a few closing comments. First of
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    all, I would like to thank, personally thank
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    Debra, Joe, and Steve for all the hard work they
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put into this project. I know being involved in projects like this takes considerable amount of time away from your family. So we appreciate that.
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Also, Karl from the Montana Department of Transportation is putting a lot of work into this and Dale from Federal Highways, Bob from the Highway 2 Association. I guess we have heard some criteria, so to speak, on each plan that MDT, as well as the Cooper Report, which is probably good. Critiquing one's work is always good. So, hopefully we can take those comments and just build upon that. I also believe in Julia's comments, the advisory chair person — excuse me, as far as the unified voice on certain issues, and that's what I believe, the Montana-Wyoming Tribal Leaders Council was trying to put forth a unified voice for the four-lane.

I think one thing that came out of this project is the issue of transportation. When one speaks about transportation, they don't realize that you're talking about almost every aspect of life, of quality of life. You're talking about economic development, school bus routes, health and safety issues. Steve could probably

understand where I'm coming from here. Steve is a 1 civil engineer. Transportation sometimes is at the bottom of everybody's agenda until it effects one of those aspects of life. So I think this project kind of brought that to the forefront. With that I just wanted to thank Joe, Steve and 6 7 Debra. Thank you. Thank you. John, the MS. PERKINS-SMITH: 8 rest of us will be here for a little while if you 9

want to talk to us individually. And thank you very much for your time.

MR. LONG: Steve Long with David Evans and Associates. To clarify the difference between the previous nights public involvement and to today's, the only difference was stating that there would be a bike path between Fort Belknap and Harlem, to address the previous communities concern to link the communities for bicycle and pedestrian movements.

(Proceedings concluded.)

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Fort Belknap Public Hearing Comment Summary

No.	Individual	Comment	Response
	Charles Plumage/ Arnold Plumage	[1] (CHARLES) PLUMAGE: I guess I just wanted to know why the project didn't go down to Three Mile, it kind of does with what you with the alternatives, but I was talking about the highway?	[Introduction to Question and Answer Period by Debra Perkins-Smith] PERKINS-SMITH: We will open it to comments and questions. As we have done in the other meetings, we will limit the comments and questions to five minutes so that everyone can have a chance to be heard and you can ask multiple questions if you want to. With that, I think I'll open it up. I know we already had one question, so maybe if you could, state your name and we will go through that one again.
		[2] (CHARLES) PLUMAGE: Right.	
		[3] (CHARLES) PLUMAGE: Yeah, but I don't agree with it.	
		[4] (CHARLES) PLUMAGE: Yeah, because of safety.	
		[5] (ARNOLD) PLUMAGE: The right-of-way would be much cheaper. It's more safe, eliminate your black ice, deer problem, and we also have flooding in February.	[1] PERKINS-SMITH: So, why doesn't the highway go all the way down to Three Mile?
		[6] (ARNOLD) PLUMAGE: Not only that, we got problems up here. If you want to improve this road through Zurich at reference point 413, that riverbend right up next to the road now on the south side, on north side, you got the railroad track. You can't widen the road there. There is a lot of accidents and there is black ice here.	[2] PERKINS-SMITH: I think probably the best answer is we have something called logical termini. Gosh, where do you end this project? And so in the Havre section, they had some improvements and so we started where the improvements ended. And in terms of
		[7] (ARNOLD) PLUMAGE: So bypass, go through the foothills.	this end of the corridor, 66 seemed to be a logical termini place to stop because there had been some improvements on US 2 past that. So, our study really is focusing on US 2 and not going down 66, but
		[8] (ARNOLD) PLUMAGE: Right, safe in the foothills. You also have the railroad- they don't dim lights sometimes, and commuters coming east out of Havre or east out of Zurich sometimes you're confused for a moment. The railroad tracks are much too close to the highway, plus you could save a lot of money if you wouldn't be building a lot of bridges. The example that is an unnecessary bridge, you save a lot of a money if you take the south side of Chinook.	we did want to make sure that we got through the intersection of 66 to make sure there is a smooth transition with whatever was done here on through that intersection. Does that answer your question?
			[3] PERKINS-SMITH: For the record, is there a reason you would like to have seen it go to Three Mile, just so we know what the issue is?
		[9] (ARNOLD) PLUMAGE: There would be federal aid, secondary funds; that wouldn't be totally at an advantage. One more comment, too, we are talking about the terror issue. We	[4&5] PERKINS-SMITH: So, you're saying on a totally different alignment?
		need a proven east/west route along the Northern tier. We have people going to and from the park. They are not concerned about stopping in these rural communities unless they have to.	[6] PERKINS-SMITH: Okay. That is definitely one of our constraining areas through there.
		[10] (ARNOLD) PLUMAGE: Why should Montana be the exception? Why should they be thinking in the stone age? It's damn sour thinking. [7] PERKINS-SMITH: A	[7] PERKINS-SMITH: All the way to Havre?
		[11] (ARNOLD) PLUMAGE: All we do in the wintertime is go to the basketball games. I would like to see a good first-class freeway going along the Northern tier.	[8] PERKINS-SMITH: We did take a look at that alternative. I think some of the alternatives there are still people that live along US 2. They would not be benefited because US 2 would not be improved along by their houses. Also, the other issue was some communities felt then they would be bypassed and their concern was, if you bypass those communities, that would have a negative economic impact to them. And so, they did not want their community bypassed.
			[9] PERKINS-SMITH: So security issues.
			[10] PERKINS-SMITH: Well, I have a question for you, would it help if

2 Anne Boothe

[1] I'm Anne Boothe. I represent Malta Chamber of Commence, and I guess my comment is, even though this area does not include Malta, I think that it, you know, the overall study and comments done within this region affect the entire 4 for 2 effort and we still are supportive of an expanded more than two lanes, the Four-Lane Divided or undivided. We would have a preference from our region simply because of the potential and I know that you have adverse issues related here.

One question I have in the tax revenue section, you have potential job loss. Are you just assuming those businesses would totally close? Is that what's the basis of that job loss?

- [2] So they specifically said --
- [3] But they said that they would eliminate those positions?

people asking the questions, hold the microphone? Is there anyone else, do you have another comment?

- [11] PERKINS-SMITH: Thank you. Other comments, questions?
- [1] PERKINS-SMITH: We actually met with all the property owners, all the business owners in Chinook. We had a business owner meeting and they provided that information to us. We actually went through alternative by alternative, and they stated whether or not they could relocate on site for that alternative or whether they would have to fully relocated off site to someplace else. Part of the issue for them, there is very little frontage on US 2 because of the bridge on one end and the fairgrounds are on the other end, so they are very limited in terms of frontage. They can't relocate, on the north. because of the railroad and also due to the hazmat sites on there. It's very difficult for them to relocate, so they provided that information to us and the consultants tabulated it.
- [2] PERKINS-SMITH: They specifically said this is how many employees that we have, and that's where we got the information.
- [3] PERKINS-SMITH: They were concerned, gosh, where do I relocate to. I mean my business relies on highway travelers and I can't relocate on US 2. Maybe I could relocate in Chinook, but it's not likely. So those are the ones that we identified as being impacted.

John?

3 John Healy

[1] My name is John Healy. I'm the Transportation Planner for Fort Belknap. I guess what I would like to enter into the record, I will give a copy to the recorder also.

I'm also on the Highway 2 Association, which I'm sure you're familiar with. I'm also the representative on the CAC committee, and I guess one of the things we talked about through the Highway 2 Association was approaching the Tribal Leaders Council to see what they thought of the Highway 2 issue. They brought it up on their agenda the other week at their meeting. I'm going read into the record their position on it:

"The Montana-Wyoming Tribal Leaders Council has been created for the Express purpose of providing the Indian Tribes of Montana and Wyoming with a Unified Voice and Collective organization to address issues of concern to the Tribes and Indian people on a state and national level.

Whereas the Montana-Wyoming Tribal Leaders Council is comprised of duly authorized representatives of their respective Tribal Governments." And has Tribal Council -- or excuse me, the Tribal Leaders Council is composed of the reservations in Montana and Wyoming.

"Whereas, transportation is a vital part of the Reservations infrastructure and adequate transportation facilities are essential to sustain and maintain the social and economic well being of Tribal members to provide the essential services required to meet their needs.

And whereas, the Transportation Sub-committee and the Montana-Wyoming Tribal Leaders Council are aware of efforts by the Highway 2 Association in reference to the 4 for 2 Project, in that it may revitalize economic activities along the Hi-Line and the four Indian Reservations. The transportation sub-committee realizes that transportation and economics are a vital part of our infrastructure.

And whereas, the Montana-Wyoming Tribal Leaders Council is aware that there has been a Draft Environmental Impact Statement issued on Phase I of this project.

Therefore be it resolved, that the Montana-Wyoming Tribal Leaders Council supports the concept of the project and the recommendation by the Montana Department of Transportation that the US Highway 2 be expanded to four lanes between Havre and Fort Belknap.

Signed Geri Small, Chair, Montana-Wyoming Tribal Leaders Council." Thank you.

ADDITIONAL: Thank you for your comments.

Please refer to Comment 17 from DEIS Comments for response to this letter.

[1] PERKINS-SMITH: Any others?

4 Dolores Plumage

[1] Dolores Plumage, Blaine County Commissioner. I want you to clarify to me the four-lane as it comes into Fort Belknap Agency. It gets down to two lanes with a passing lane, as it is, and I would like to go further and state, I'm not sure if — I mean I think that a four-lane going past the agency is, I like that idea. And I'm not sure if you would go past, I would like you to go all the way up to Boots Gas Station passed that because the Fort Belknap Agency I think is still not finished growing. We have a population that is increasing. I see in the future that we will have more services, more businesses here at the Agency. And to accommodate that growth, I feel like there should still be more of an expansion of the highway.

And I would also like to say in our, for our area here from the Fort Belknap Agency, there are many private vehicles and school buses that leave everyday during the school year, busing our children to the Harlem schools. There is just a lot of traffic, and as parents, we have always been concerned. Over the past 20 years, we have gone to the Harlem school, wanting to be reassured that their buses are in the best of condition. We have always been concerned about our children being on this Three Mile stretch between Harlem and the Agency. We also have many commuters who work at the Fort Belknap College for the Fort Belknap Tribe, Indian Health Service, and the Bureau of Indian Affairs and these commuters come from Malta, from Havre and Chinook. And we also have people here who travel to these other towns, including myself, there is always, there is so much traffic and it's risky out there everyday.

I would also like to state that the few minutes that I have gone through at the tribal council, they are always working towards economic ventures. And I see that if there would be an, I know that there is probably plans to economically develop their resources here, and so this would require that we have the best transportation for our infrastructure so that we would be able to have adequate linkages across the state.

Ambulances, they said last night they mentioned in Chinook the ambulance service. The emergency vehicles were in a unique position. Here at Fort Belknap, because the ambulance service is required from Hays and Lodgepole areas, when they come here, sometimes they have to be referred to Great Falls or then from there aired back to another hospital facility. So, it's really important that we have, again, good transportation service because we are so isolated from adequate medical care.

I would also like to state that three miles away in Harlem, there's the Albertson's store. Our population here impacts our local businesses immensely. Albertson's is still open due to the fact that there is such a large impact of the reservation, of them doing business and even during the winter storm -- we had a terrible winter storm this past year. I went shopping there and most of the shelves were empty. They couldn't make their deliveries and so, it's really important. Again that was -- that was a life and death situation in our area for our people here on the reservation, especially those that live even in more remote areas to the south of us. We need a good highway and I fully support the four-lane. I believe that the State and Governor Martz and whoever will succeed her after that, it is possible that we can acquire the funding.

And then my question remains to you, again, about the highway going further past where that intersection is. Thank you.

[1] LONG: Well, as Deb had mentioned before that, we had to pick a logical termini for the project and we had to look at how the existing conditions worked for this area in front of us. So with knowing that the logical termini was 66 and we were bringing in alternatives, primary four-lane alternative, how do we stop that as to end up a two-lane section. We felt that dropping those out lanes, turn lanes, was a good engineering decision to do that.

Also, we were really conscious about the need to expand the highway in this area because it's very difficult to acquire Right-of-way from a reservation. So making sure that we were trying to limit our impacts in that area was another reason, unless we get outside of something that just won't work. It's hard for us to justify just make it wider to make it wider, because it's so difficult to get that Right-of-way. So, those are the reasons why we picked to try to transition through this area, rather than take four lanes plus an extra lane after this area.

ADDITIONAL: Please refer to Section 1.4 of the FEIS for a discussion of the project termini.

Thank you for your comments.

5 Bob Sivertsen -Highway 2 Association [1] Bob Sivertsen, for the record, Stacy.

As we look at this E.I.S., I have been a member of the CAC and have been involved in this thing since day one, as John Healy has been as well. And then, of course, the Highway 2 Association has really been involved in this thing, I'm pleased to say that John Healy has been on the board of the Highway 2 Association. Representative Frank Smith has been on the board. We have a lot of good feedback from the reservations on this. The Highway 2 Association has directors from each of the counties, or we're short two from the counties right now. There is ten counties in the corridor, plus the four reservations and in being involved in this since day one, and since Senate Bill 3 was introduced in, and Representative Smith was really involved in that, as well Senator Sam Kitzenberg in Glasgow. When Senate Bill 3 was introduced and passed and signed by the Governor into law, it directs the DOT, as she has said to construct a four-lane highway in the Number 2 corridor. It also directs the DOT to seek Federal funding.

But, the E.I.S. is flawed and incomplete. And by their own admission it is, but that is where David Evans and ICF don't have to accept the blame for that, is the fact that they have told me that they have done everything they were told to do. They have followed the role and scope of the work order that they had.

So, that being a given then, the finger has to point at the administration, the present governor and the head of the Department Of Transportation. So, this E.I.S. is coming out and recommending an Improved Two-Lane. They don't even meet the criteria in the purpose and need. How many people do you think agree that a two-lane highway is going to provide an efficient highway to support economic vitality? I haven't heard any business people agree with that. DOT currently is hoping other individuals, not involved in the business world, to support their preference, of which is an improved Number 2. DOT did come out and recommend an undivided Highway 2 or four-lane highway on Number 2, but he stated very clearly that they did it because of the law.

All along all they have ever supported since the introduction of Senate Bill 3 is the Improved Two-Lane and they are trying their darndest to this day to circumvent that law. The Highway 2 Association takes exception to it and we raised some valid points and we hope that they get considered in the final draft of this E.I.S. because we weren't satisfied with the way this E.I.S. was being done. We decided that we needed a second opinion, so we hired our own consultant to take and do a study and the reason that the E.I.S. is flawed, is because of Senate Bill 3 addressing the corridor.

That E.I.S. would not analyze the affects of four laning in the corridor. They would only look at a 45 mile stretch between Havre and Fort Belknap here. That doesn't give you a very good feel for economic development because a four-lane highway that goes nowhere, we all know what that will do, sure we do, because of their failure to do that we felt compelled that we needed to look at our resources in the corridor and to take and then state the many opportunities for economic development that could come about. You people on Fort Belknap here to Fort Peck to Blackfeet and Rocky Boy have a lot of resources that haven't even been touched yet. There's job opportunities here. The Federal government has an obligation to provide jobs. You can't do it if you don't have a decent transportation system. That is the first step in economic development.

I would like to introduce to you Hal Cooper, our consultant. He is going to just give you a brief overview of the contrasts between the E.I.S. and the Cooper report. He's from Kirkland, Washington, been an engineer and been involved in energy development, economic development from all the way from Texas to Alaska.

ADDITIONAL: Please refer to response from DEIS Comments to Comment 46 - Bob Sivertsen, Highway 2 Association. This comment is similar to Havre Public Hearing Comment 2 - Bob Sivertsen, Highway 2 Association; Chinook Public Hearing Comment 11 - Bob Sivertsen, Highway 2 Association; Harlem Public Hearing Comment 10 - Bob Sivertsen, Highway 2 Association.

Thank you for your comments.

No. Individual Comment Response

Arnold Plumage Just a moment, you talk about our reserves on the reservation --Arnold Plumage again -- you talk about the resources on the reservation. What happened to our gold out there in the Little Rockies. We got nothing from that.

7 Hal Cooper -Highway 2 Association Consultant [2] COOPER: Hal Cooper. Thank you very much for the kind introduction. I did the study for the Highway 2 Corridor Association. I was hired to propose an economic development plan and also to do a critique of the E.I.S. I thought I was talking to the microphone.

First of all, there's some changes in the report that were brought to my attention by Dolores Plumage. I've got to make sure we got the tribes correct. The Blackfeet Reservation has the Blackfeet Tribe. The Rocky Boys Reservation has the Chippewa Cree. Fort Belknap has Assiniboine and Gros Ventre and Fort Peck has Assiniboine and Sioux. Now, we got them all straight I hope.

I made a proposal for an economic development plan for the US 2 corridor, which was something that really was not made in the E.I.S. and it's based on energy and industrial development and I'm proposing that we build a coal and wind generating facility. We build a new transmission corridor, so we can move electricity from North Dakota and Montana to the West Coast. That we add manufacturing and that the State of Montana, North Dakota, South Dakota and Wyoming, in conjunction with the provinces of Alberta, Saskatchewan, of Canada get together on energy development. This proposal would have a Four-Lane Undivided Highway, a double track railroad, and an electric transmission corridor.

Now, I reviewed the Environmental Impact Statement and pointed out there are several shortcomings. Traffic growth rate is based on a continuation of the status quo and that's basically with very minimal economic development. We need to have a different plan. The truck operating costs going across this corridor. First of all, we are going to save two and a half hours of transit time compared to going I-90 and I-94 between the west coast and particularly eastern Canada. We save 9,000 feet of mountain climbing passes. There is only one on Highway 2 and there is three on Interstate 90.

My estimate is that you would save something like a \$1.25 per truck trip and somewhere over five to ten gallons of fuel by going that Highway 2. If we had a decent highway that particularly affects this proceeding today at Fort Belknap Reservation.

There wasn't enough specific information on the population demographics, population trends, employment, business, both in the present and the future. And we do not have an adequate economic development strategy for this region. And especially severe, that affects this particular hearing today, is the potentially severe economic and social impacts fall scarcely on the reservations along this corridor if we do not adequately develop the economy and that's going to require expanding our transportation capacity, road and elsewhere. And in this particular 45 mile section, particularly the Fort Belknap Reservation, and there is a vital flaw in this study as Bob pointed out, is that we are only considering the 45 mile stretch as compared to the 666 miles. And we save 40 miles. A truck could go from Spokane from North Dakota going on to US 2, as compared going by way of Interstate 90, 94 route.

I did a relatively extensive study of the valuation of how is the Highway 2 corridor going to impact the reservations in terms if we develop it adequately, as compared if we don't. The populations in this Indian reservation, on these eight counties, is due to increase from present, 25,000, to between 35 and 40,000 by the year 2030. That's on the reservations. The non-reservation population is due to decrease from 68,000 to 64,000 during this same period. And the result is the Native American percentage of the total population in the corridor is going to increase from 25 percent at present to between 25 and 40 percent by the year 2030. None of this is mentioned in the E.I.S. and it certainly should be.

Now, let's look at the question of employment. Doing nothing, other than continuing the status quo, presently what we are doing now, and Dolores brought this up, that there is going to be

ADDITIONAL: See response from DEIS Comments to Comment 16 - Cooper/Highway 2 Association.

No. Individual Comment Response

more services even under that scenario required here at the reservation and activity and business. But the number of jobs that is expected from 3700 today, to 5700 in the corridor between 2000 and 2030. What is it that we need, the number of jobs needed, is not going to be 3700 it's more like 7900, that's today. And that's due to number to about 14,000 in the year 2030. Our job gap, in other words, what we have versus what we need, is due to expand from 2000 jobs deficient now to over 8000 by 2030 on the reservations. And that's going to multiply the social and economic problems without adequate transportation, without adequate development and it squarely falls on the reservation.

We need to create new jobs. Roadway construction itself is one of them, plus the transportation benefits once we complete the road construction, we need to have energy development on the reservation. We need to have industrial and manufacturing. We need other job activities to create jobs and it all requires with transportation, I would suggest trying in Montana and in North Dakota, that they might consider forming some sort of energy development authority among them. One possibility would be this northern shore electrical type. This program would be funded. We would reduce the unemployment on the reservation from the present of over 50 percent to less that ten percent by the year 2030 and we would dramatically reduce the amount of social security, plus the fact that they would be much more self-sufficient.

I want to make some final points. The roadway expansion of US 2 by itself will not bring economic development, except through traffic and some tourism, but without it, the necessary economic development cannot take place across Northern Montana.

If this expansion takes place, it is going to be especially beneficial to the reservation and to outside population as well, but if it's not done, the adverse effects are going to most squarely fall on the reservation. This is something that is not discussed in any detail in the E.I.S. Perhaps that's beyond the scope to a certain extent, but I think population demographics and meeting employment tax are a factor. The proposed expansion of the US Highway 2 corridor is essential for this energy and industrial development to take place, and I propose a northern strategy for energy development for this country, meaning our states in Montana, North Dakota, Wyoming, plus Alberta and Saskatchewan and Alaska, work with Northern Canada, is an essential thing for this country. Certainly better from importing oil in the middle east and spending 120 billion dollars a year keeping the world safe for cheap oil, as we are unfortunately doing now.

We need to build a new transmission corridor, and I would suggest that whoever the new governor of Montana becomes, should invite the Governor of North Dakota, plus the three others to come together and have an energy conference after that first season inaugurated, next year. And one of the ideas on the agenda would be to get this corridor to a four-lane.

One final thing, I know it's not part of the E.I.S. proposition, but it needs to be done. We need to have a complete and total identification and inventory of the oil and gas in this corridor. Thank you.

8 Dolores Plumage

[1] Dolores Plumage, Blaine County, After the meeting in Chinook last night, I was visiting community people and one agency person, this was Federal Highways, and one of the questions that the highways had for community people is what is Chinook going to do? And Chinook had 60 people at their meeting, and it was similar to this, there were many opinions. After the meeting, I was thinking about that, what is the correct way to, from these meetings with the comments made, how are we supposed to relate back to the agencies? What are they expecting from the communities? Because we have gone on record, sent in from the elected officials, we have sent in written documentation and now we have written documentation from the Montana-Wyoming Tribal Leaders and that question baffled me, because I know that bureaucracy operates differently and they may be expecting maybe there's a different approach that we are missing. And to help our communication, I want to bring that comment forward to help us so there is not a gap. So my question is back to the Federal Highways, or to DOT or to the State agencies, is what are you expecting from us? What more do you want from us so that we will be heard? Because we as officials, we are trying to provide the information the best way we can, and if there is still gaps, please assist us and have further communication with us because I thought that the last two meetings, I think in Havre and then in Chinook and now here we are, this is a relatively good turn out. What's more, and perhaps Debra can assist us from that input, is how can we close that gap and provide our own highway communication back to these agents and if we are missing something, please let us know because we will certainly make changes so that we can be heard from one side to the other.

[1] PERKINS-SMITH: Dale, how about if I again reiterate how people can provide comments, but then maybe if you want to, talk about the agency perspectives, from the mayor or commissioner or something.

In terms of the process where we are now, we have what is called a comment period and it goes through August 13, and as I said earlier. there are several ways you can comment, either through the question and answer period right now, and Stacy is transcribing that. If you have a comment form there, and there are plenty more out at the entryway there, you can make written comments. They all carry the same weight. There is also the ability to take those forms away and distribute them, have people send them back in. It's a good sheet of paper because it has the address on it and where to send the comments. You can submit comments via the web site, which is also listed on that sheet of paper. You can talk to us individually after the meeting. We take those comments down. So comments come in various forms and various ways. We take those comments all into consideration. And just so that you know, we have already had a number of comments over the web site and that sort of thing. So in addition to these meetings here, there are other comments that come in different ways, and they come in from agencies, individuals organization, like for instance, what is it, Smart Growth Montana has already printed a letter and that sort of thing. There may be some other things. Dale, is there that you see?

PAULSON: Yeah, Dale Paulson. The Citizens Advisory Committee that we put together I think is a very, very strong organization. That's your organization to comment to us and I think you can use that even better than what you have used and it's not too late. I think you can get the Advisory Committee together and make some uniform comments to us from the Advisory Committee as advised, but we take it as advice, but it's a very strong way of getting information to us. That's one of the things I was talking about last night.

9 Arthur Stiffarm/ Hal Cooper [1] My name is Arthur Stiffarm. I'm a community member here at Fort Belknap. A couple things I looked at this E.I.S. and this critical review, the one that Mr. Cooper has eluded to. I think they are both flawed. One thing that he just mentioned before is he didn't look at the land acquisition concerns when it comes to tribal, or what I call Federal trust land, either individual tribal trust land where this highway will go in this, the acquisition of it. They didn't look at it. If they did, it's definitely going to concern, not only individual landowners, but those people who lease it. The cost of it, its appraisal, we do not have an appraisal system here yet, but that has to be rectified before we even start getting to an appraisal process.

Now, as far as statistics, the Cooper report is seriously flawed. You just look at table Number 2 in there, you see that you don't have all the tribes correct.

COOPER: That's why I made that announcement to correct it.

STIFFARM: If you can't get the tribes right, all the other information, the tribes themselves, will not be right.

COOPER: That's why I made the announcement about the correction.

STIFFARM: You didn't reference where you got this information on population growth. Is it using the census information, which is once every ten years, and they only separated Indian in the specific residential use number of witnesses or units to be measured in 1990 and 2000 to make a population projections, using just the ten-year period is going to be seriously flawed. The economic census comes out once every five years, the next one being 2005. And that one 2005 they haven't yet figured out how to separate Indian country out of the specific units, the measurements. So I'm not sure what type of information you're utilizing, which I wish would be a lot better. Reading that report, the only reference I know of as far as unemployment goes, that we have to use at Fort Belknap is Bureau of Indian Affairs. What was supposed to be done once every year for us as a trust responsibility by the Bureau of Indian Affairs, through they are not done for us every year. And their manner of doing it is at the least cost possible to them.

Again, you use the least cost, you're going to get a least best survey. In this case, a labor force report that we have to utilize for our funding sources.

COOPER: I don't have any access to any of that information.

STIFFARM: They will get you that information for you and provide it to you. And I'm a representative from Fort Belknap on your Committee US 2, or CAC. He has all of that information.

MR. COOPER: None of that information was made available.

MR. STIFFARM: Anyway, those are the two things that I wanted to bring up on behalf of Indian country. They didn't quite go all the way on Indian country and that is the 45-mile corridor, but if you look at the whole 666 miles you go through four reservations and you have to look at some of those things to get the complete impact.

MR. COOPER: I didn't have access to any of that information. That's all I would say.

ADDITIONAL: Thank you for your comments.

[1] PERKINS-SMITH: Any other comments or questions? I think there was someone over here a couple times had a hand up.

10 John Allen [1] My name is John Allen and I'm an enrolled member here at Fort Belknap. I want to say anything, I say it is in my opinion, it isn't anything representative of the tribe or anybody else.

You might want to tell Dr. Cooper that Assiniboine Nation is not Assiniboine Sioux. They are only distinct tribes, our associations -- actually, they are bitter enemies, used to be historically and so, you know, a lot of your info according to Native Americans seems not to be updated or accurate. I suggest you find the right sources to correct that.

Myself, I'm not really for the four-lane highway. I think the two-lane highway is adequate, providing they put some good shoulders on it and upgrade it. You can go north of here and run into the interstate, 200 miles south and run into the interstate. Basically, if you look at the map, there is a nice little hole in the middle of Montana and rural America and I would pretty much like to keep it that way. All the towns here are drying up. They are all retirement towns. Havre may be a hub or a bigger town. I know when people come through here, they are not stopping at Fort Belknap or Harlem or Chinook. They are not going to vacation here. They are headed straight for Glacier Park.

I can see, good reasoning for them, I want to put it from Fort Belknap to Havre. Every two weeks, Fort Belknap kicks out a multi-quarter million dollar payroll and there is no services here outside of Albertson's and all that money goes to Havre and that's just counting the tribe. That's not counting the government, IHS, BIA or other agencies or the school system over at Harlem. Big payrolls leave here, and none of the money stays here. It goes towards Great Falls, Billings, Havre, and Havre benefits real lots. I don't know if they appreciate it or not. A lot of these towns don't appreciate the Indian dollar that comes from these Indian reservations. I know Rocky Boy probably contributes the same amount. Economically, if you were to look at it, the Indian tribes really uphold the economic system of this area here, outside of agriculture. You know, this is agricultural country, and ranchers and farmers and stuff. And you can see with my hat, I'm kind of a western quy. And I kind of favor the rural. All the places I've seen and I have driven on the interstates and so have you, you miss an exit it's another five miles down the road for you to get turned around and with these small towns, you got to go to the next town to buy your pop or go to the bathroom or get some gas. So, I don't see us, Harlem, or Chinook, having three or four exits. Basically Great Falls and Billings barely have that many exits.

Basically, everybody just drives by at 75, 100 miles an hour. You can blow your hat off, when you're standing on the road there. I'm not really looking at any type of benefits from this, with all the growth 50 years down the road, it might happen, but right now with the population drying up, especially the white population, most all of these towns will go into Class C.

Now, there is just elderly in there, you know, it's a cheap place to live. All the schools are getting smaller, grade schools are getting smaller. Indian country is growing up a little bit, but still I don't see the population exploding that much. Baby boomers are become of age now, maybe we will get a few retirees, you know, that would be a benefit. I'm not really certain if that will happen. So basically, you know, I prefer the quiet rural life and I hate to see too much civilization in here. And I didn't look for no K-Marts to move into Chinook or Harlem, or Wal-Marts or what have you, you know. So I think we are all going to have to get used to driving 100, 200 miles to get any type of services and we all grow up that way. It's nothing for us to jump in the vehicle and run to Billings and back in the same day. And, you know, basically we should be working on roads and that direction instead of for tourism industry that only pulls in here for three months out of the year. I don't really see us spending all our tax dollars consistent on that. Thank you.

ADDITIONAL: Thank you for your comments.

[1] PERKINS-SMITH: Other comments, I saw some other hands.

11 Gloria Doney

[1] I'm Gloria Doney. I represent the tribes of Fort Belknap. You know, sitting here listening, I understand that when you come to do a study on the reservation, I know that you're not access — you think you're not privy to a lot of information but all you have to do is ask. We are very open. We try to help anybody and everybody who wants to understand us, to understand us. And, you know, I was sitting there listening and I heard economic, economic, economic. You know, development and it's like, in trying to get us to decide, hurry up and decide, or come on get on the bandwagon and decide, do you want an Improved Two-Lane highway or do you want a 4 for 2? There was a lot of economic, the word economic development, you know, included in that. And it made me sad to hear that the study said that if, you know, the payments from social services would decrease if we had improved highways.

You don't know that. We are hoping that it might, but how do you know that we even have payments coming out of social services. You know if you're not privy to other information, how can you make that statement. But I just wanted to let you know, that I have been on the council for two months, and it's been a learning process thus far.

And I know that even if you sat on the council for four years, eight years you still wouldn't really understand everything that pertains to the reservation. But I would pray that this, you know, the improved transportation system that we're hoping to receive, that we will come together, all of us will come together, you know, for the benefit of everybody up and down the Hi-Line. We see motor homes just sailing through the reservation. Will an improved highway cause them to stop here, or like John said, will it just cause them to speed up, you know, as we are standing at the highway waving, it will just blow our hats off.

You know, so yes, we do want to see an improved highway. But we also want to see, you know, how can we work together as a whole as a rural people, you know, so that we could figure out a way to draw people to our communities. We want them to stop at our reservation because we are proud of it. You know, we want them to come in, pull into the Quick Stop, pull into the rest area, pull into the tourism and stop and take some time to visit with the people that are there.

We want to draw them into Harlem. I mean, we go into Harlem and if you drive down Main Street you don't want to blink too long or else yawn because then you're going to miss the main thoroughfare of Harlem. You know, the businesses are drying up. For me, as you know getting ready to retire, I don't think I'll be able to retire, as the word retirement says but the definition of retirement, but it's a nice quiet place, but we want people to come and get to know us. So this highway that, you know, this bill, you know, we need people to come to have easy access to us. You know, for us to have easier access and better access when we need services, up and down the Hi-Line.

So we are hoping that this highway won't divide the communities up and down the Hi-Line but it will bring us together. So that we can work together so that the Chinook community, the Havre community, the Fort Belknap community, the Harlem community, we can all say, this highway is going to benefit us. And when we make that statement, us includes all of us, not just Fort Belknap, not just Chinook, not just Havre, but it will include all of us. You know, it's got to be beneficial because maybe by the time this is funded, of course, there is always, they hang out a carrot to you and then there is never any money behind that carrot.

You know, saying that Highway 2 needs to be improved, yes, it does need to be improved. I mean we look at the statistics. I had a brother that was in an accident. He was killed down on Highway 2. But I don't know that, you know, it would have been nice to have a better highway, and it has been improved since he died.

[1] PERKINS-SMITH: Thank you.

But we have to, we have to come together and say, okay, all these communities that come forth from this, from these meetings, we all need to write a letter, to not only the mayors, the tribal councils. You know, all these organizations we all need to tell them band together as one group and go to the Federal government, and say okay, these are the statistics on Highway 2. You know, and but now we need some money. We want to do it. And a large body of individuals going forth as a group, I think we can make a difference rather than being fragmented and having a lot of little voices, some groups they have a large voice. Well, I don't think you do. I don't think we do, but together that voice definitely has to be heard and we'll be heard. You know, so from all these community meetings, you know. I pray that we all, that voice becomes one. And that we begin to make that funds a possibility, because together I think that we can do it. And it will be beneficial to all of us to the economic development in all of our communities. And it will benefit maybe not quite so much some of us that you know. sitting there with frost of many winters, but our children will see the benefits, definitely.

And then our children will begin to say as they grow up, you know, I want this business, because there's, you know, the highway is so good. They see so many passing through that I can benefit now, you know, this is what I want to do. My dream is not an impossibility then but I thank everybody for coming to Fort Belknap to the meeting and let's really join together and begin to make this highway a reality. You know, it can happen. If we say, okay, let's all walk together and make our voice loud and make it unified. Thank you.

Frank Smith

12

[1] I'm Frank Smith from Assiniboine/Sioux Fort Peck Tribal Council, and I'm here representing the Roosevelt County Commissioners. They have asked me to come. I have several questions here, I'm not going to argue with Ms. Smith back here, on some of the things we said we write to them we get an answer. When they did the review for truckers, I wrote to them, asked them which scales they did it at. I never did get an answer.

The report here, the graphics you got shows that they show all the losses, the background of it. I don't see anything in here that could begin. Also, in the whole program I don't see anything on leakage for different communities. What flows from here into Havre and what flows from here into Malta.

We are talking about economic development. This isn't an interstate like was mentioned before. It goes through town, and don't bypass. Designed to take -- you probably know by now. I helped get the bill passed. Anyway, I'm going through, I never got the full E.I.S. Report. but I was reading Hal's here, and on the Figure 2, he's got exactly what I said at the first hearing in Havre. We don't have near the mountains to go over if you stay on Number 2, plus you got 40 miles less you save anywhere from 8 to 18 gallons. When I went from Spokane to North Dakota that's a lot of gallons nowadays in fuel, plus mileage and going down in, there is a guite a few things that are very good ideas.

If you go back to 39, in 1941, which is before I was born, not much though, to 2001, you gave four and a half times more traffic and then they go over an interstate Number 94, even with all the improvements on there, they only gained twice as much traffic. With our population growing out here in our reservation, I figure this is something they should be looking at. There's a lot of information to be gotten from BIA tribes, they got very good records.

I would like to see them pull the report sometime and maybe I can read up some more. I was just going through with transportation and reading Hal's report here. And I think his is pretty good. Thank you.

ADDITIONAL: Thank you for your comments.

[1] PERKINS-SMITH: Any other comments or questions?

13 Anne Boothe

[1] Anne Boothe from Malta. You commented that the Montana Department of Transportation is in support for us going on support of a four-lane because that is what is met in Bill Number 3.

What is the proposal for funding now? I mean, is there going to be an effort by the Montana Department of Transportation to enact changes within the legislature so that the State can participate in that? And what, if that's their directive, if they support highway, the four lanes, how will they move that forward?

- [2] Who makes the final determination on the E.I.S.?
- [3] How weighted are public comments?
- [4] Is there any specific way to categorize this could come down to specifically to available funding, you know? I guess bottom line is, I really want to know how comment and perception within this region is weighted?
- [5] How will the alternative economic plan be, you know, considered in this option?

[1] PERKINS-SMITH: I think there are a couple of questions there, and let me see, if I can sort through them. Based on the bill, there is no Federal money, there is no funding. But based on the bill, it says they are directed to seek funding from the Federal Government. So, that would need to occur, but that instructs the type of funds that they can get, set aside specifically for that. So, that's the limitation due to

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the bill.

Now, in terms of the two-lane, I think you're asking is there funding available for those yet? And, Doug, do you know the specifics in terms of what's already been identified in the future program for a two-lane highway?

WILMOT: I guess I can speak to the specifics of the funding right now. There was projects or there are projects set up throughout the corridor that you understand the two-lane scenario were in the long range plan although they were not in the funded plan yet. Anyway, as soon as we get an outcome on this E.I.S., we will seek funding for either of the alternatives through the sources that are available.

[2] PERKINS-SMITH: Federal Highways Administration makes the final determination.

[3] PERKINS-SMITH: The public comments -- let me just describe the process. Those come in. We actually have a database. We take a look at every single comment, kind of group them. For instance, from agencies we may get comments about wetlands. There's is a group about wetlands. There are other comments, and then we go forward with MDT and FHWA to look at each of those comments and the first thing we say is that information would that match something that was in the E.I.S.? If it does, we will match that particular in the E.I.S. and then the next step is; gosh, we look at all that information. Would we make a different decision, or based on what we have heard is there a different decision, now what?

There is a chance to refine their thinking in terms of the preferred alternative, and only one preferred alternative can come out of this process. So in order to do this, the agencies will have to come together on a single alternative. Now that single alternative could have different answers in different places along the corridor, but there will be one recommendation.

[4] PERKINS-SMITH: I guess I would have to leave that up to FHWA and MDT. They look at each comment. Its like anything, I guess if they feel there isn't going to be any funding, you know, they have to take that into consideration. Does that mean that they go forward and make no improvements on the highway, or is there something else they can do? There is nothing that says you wait. One more thing, and that's why we have this huge, huge list of factors, is just trying to get the information out so that they can take a look at it in its entirety. I know Dale wants to respond to that. Is there anything you rate more than anything else?

- [5] PERKINS-SMITH: That's a good question. This is new information, new to us. But anything else that comes up, some information we'll take a look at it, see if that would match anything that we have done, that we have done to date. If it does, we would match that information to the E.I.S. The other thing is, we will send that onto the economic consultant so that's the specialist in terms of economics on this project. And we will send that onto them to look at and give their opinion, as well as the economic people for FHWA and MDT. So we will take a look at that, just like they would at any other information.

 ADDITIONAL: Please refer to Section 3.2.1 of the EIS for the text in
 - Montana Senate Bill 3.
 - [1] PERKINS-SMITH: There were several supporting documents that were developed over the last two years, in terms of economics. And as part of that, surveys were done with the Universities, as well as a lot of some, of the major business owners and the Chambers. And all that's documented in the ICF report. I can give you that citation if you would like?
 - [2] PERKINS-SMITH: Yes. You mean outside this 45 miles?

PAULSON: No. That's pretty much the way it is.

- [3] PERKINS-SMITH: Yes. In fact, we talked to the community college and we actually included information on the development plans. And as Steve went through earlier, some of the changes that are proposed here at Fort Belknap were to accommodate some of those proposed development plans. So that information is included in the report and was taken into consideration.
- [4] PERKINS-SMITH: Yes, we did.
- ADDITIONAL: Thank you for your comments.
- [1] PERKINS-SMITH: Any other comments or questions? I think John had one back there.

- [1] My name is Frank Smith again, and as I said I haven't read the report. But did you do any interviews at the colleges or the Chambers and Commerce and see where they are planning on going?
- [2] I mean on the corridor.
- [3] Yeah, or like the community college here.
- [4] SMITH: Did you look at the tribe's five-year plan or anything?

15 Arnold Plumage

[1] We have been talking about funding. Our first step is to get our boys out of Iraq and reduce our military force and get the money back home where it belongs.

16 John Healy

[1] John Healy, Fort Belknap. I guess, just a few closing comments. First of all, I would like to thank, personally thank Debra, Joe, and Steve for all the hard work they put into this project. I know being involved in projects like this takes considerable amount of time away from your family. So we appreciate that.

Also, Karl from the Montana Department of Transportation is putting a lot of work into this and Dale From Federal Highways, Bob from the Highway 2 Association. I guess we have heard some critique, so to speak, on each plan that MDT, as well as the Cooper Report, which is probably good. Critiquing one's work is always good. So, hopefully we can take those comments and just build upon that. I also believe in Julia's comments, the advisory chair person — excuse me, as far as the unified voice on certain issues, and that's what I believe, the Montana-Wyoming Tribal Leaders Council was trying to put forth a unified voice for the four-lane.

I think one thing that came out of this project is the issue of transportation. When one speaks about transportation, they don't realize that you're talking about almost every aspect of life, of quality of life. You're talking about economic development, school bus routes, health and safety issues. Steve could probably understand where I'm coming from here. Steve is a civil engineer. Transportation sometimes is at the bottom of everybody's agenda until it effects one of those aspects of life. So I think this project kind of brought that to the forefront. With that I just wanted to thank Joe, Steve and Debra. Thank you.

[1] PERKINS-SMITH: Thank you. John, the rest of us will be here for a little while if you want to talk to us individually. And thank you very much for your time.

LONG: Steve Long with David Evans and Associates. To clarify the difference between the previous night's public involvement and to today's, the only difference was stating that there would be a bike path between Fort Belknap and Harlem, to address the previous communities concern to link the communities for bicycle and pedestrian movements.

(Proceedings concluded)

Response



Final Environmental Impact Statement and Section 4(f) Evaluation

US 2, Havre to Fort Belknap

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Volume 2 of 2: Appendices and Section 4(f) Evaluation

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